United Nations

S/2018/812

Security Council

Distr.: General
[illegible] September 2018
riginal: English

Letter dated 5 September 2018 from the Panel of Experts on Libya established pursuant to resolution 1973 (2011) addressed to the President of the Security Council

The Panel of Experts on Libya established pursuant to Security Council resolution 1973 (2011) has the honour to transmit herewith, in accordance with paragraph 14 of resolution 2362 (2017), the final report on its work.

The report was provided to the Security Council Committee established pursuant to resolution 1970 (2011) concerning Libya on 2 August and was considered by the Committee on 23 August 2018.

The Panel would appreciate it if the present letter and the report were brought to the attention of the members of the Security Council and issued as a document of the Council.

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Final report of the Panel of Experts on Libya established pursuant to resolution 1973 (2011)

Summary

Over the reporting period, the predatory behaviour of armed groups posed a direct threat to the political transition in Libya. The use of violence to exert control over State institutions was particularly noticeable in Tripoli and could result in a return of armed confrontations. The Libyan Investment Authority, the National Oil Corporation and the Central Bank of Libya were targets of threats and attacks, affecting the performance of the country's oil and financial sectors.

Armed groups are also responsible for targeted persecutions and serious human rights violations, which are deepening grievances among some categories of the population and ultimately threatening long-term peace and stability in Libya. Most armed groups involved are affiliated with either the Government of National Accord or the Libyan National Army.

Trafficking in persons and the smuggling of migrants are substantially benefiting armed groups. These activities fuel instability and undermine the formal economy. Criminal networks organize convoys of migrants and use sexual exploitation to generate significant revenues. The Panel is concerned about the impunity in Libya of those systematically violating the human rights of migrants, notably due to weak law enforcement and large security vacuums. In this regard, the decision of the Security Council Committee established pursuant to resolution 1970 (2011) concerning Libya to sanction six smugglers of migrants represents a key step forward.

The Panel is particularly concerned by the attempts of various armed groups to gain legitimacy by ostensibly supporting efforts to combat irregular migration and thereby receive technical and material assistance from foreign actors. During the current mandate, the use of vessels mounted with weapons has increased in both the east and west of the country.

A growing number of armoured vehicles and pickup trucks fitted with heavy machine guns, recoilless rifles, mortar and rocket launchers has been observed in combat theatres, notably in eastern Libya. These transfers to Libya indicate that all Member States could considerably increase their efforts to implement the arms embargo.

Arms and related materiel from both former regime stockpiles and transfers conducted after 2011 continue to fall into the hands of Libyan and foreign armed groups. The diversion of arms feeds into the increasing insecurity and constitutes a continued threat to peace and security in Libya and neighbouring countries. Foreign fighters and armed groups, moving in and out of Libya, exploit the proliferation of arms and related materiel in the country, resulting in regular violations of the arms embargo.

Since the beginning of its current mandate in August 2017, the Panel has documented six attempts by the eastern National Oil Corporation in Benghazi to illicitly export crude oil. Illicit exports of refined petroleum products, by both land and sea, continue to be a prosperous activity. The Panel has identified networks involved in such activities operating in various regions and their modi operandi.

The Panel has analysed available data and information on the assets of the Libyan Investment Authority and has uncovered two major instances of non-compliance with the asset freeze. Through its enquiries, the Panel has exposed varying practices and interpretations in the application of the United Nations sanctions, which could have an adverse impact on the management and proper custody of the frozen assets. The Panel has concluded that the asset freeze has not adversely affected the Libyan Investment Authority.

Contents

Page

I. Background ... 6
  A. Mandate and appointment ... 6
  B. Methodology ... 6
  C. Cooperation with stakeholders and organizations ... 6
  D. Structure of the report ... 7

II. Acts that threaten the peace, stability or security of Libya or acts that obstruct or undermine the successful completion of its political transition ... 7
  A. Threatening or coercing Libyan State financial institutions and the Libyan National Oil Corporation, or engaging in any action that may lead to or result in the misappropriation of Libyan State funds ... 8
  B. Attacks against any air, land or sea port in Libya, or against a State institution or installation, or against any foreign mission in Libya ... 9
  C. Acts that violate applicable international human rights law or international humanitarian law or acts that constitute human rights abuses ... 11

III. Implementation of the arms embargo ... 17
  A. Overview ... 17
  B. By sea ... 17
  C. By air ... 21
  D. Update on ongoing investigations ... 27
  E. Transfers of military materiel from Libya ... 34
  F. Previously notified materiel ... 36

IV. Prevention of illicit exports of petroleum, including crude oil and refined petroleum products, under resolutions 2146 (2014) and 2362 (2017) ... 37
  A. Prevention of illicit crude oil exports ... 37
  B. Illicit export of refined petroleum products ... 38

V. Implementation of the asset freeze ... 45
  A. Frozen assets of individuals ... 45
  B. Frozen assets of designated entities ... 45

VI. Implementation of the travel ban ... 51
  A. Updates on designated individuals of the former regime ... 51
  B. Updates on individuals designated after the adoption of resolution 2174 (2014) ... 51

VII. Responses to the Panel's investigations ... 52
  A. Central Bank of Libya ... 52
  B. Ashraf ben Ismail ... 53
  C. Letters of credit ... 53
  D. Libyan Iron and Steel Company ... 53

VIII. Recommendations 53
IX. Annexes* 56

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* The annexes are being circulated in the language of submission only and without formal editing. Owing to the word limits on reports of monitoring mechanisms, the Panel has provided further details relating to a number of investigations in the annexes. The table of abbreviations and acronyms can be found in annex 1.

I. Background

1. The present report contains the findings of the Panel of Experts on Libya until 17 July 2018. An overview of the evolution of the Libya sanctions regime can be found in annex 2.

A. Mandate and appointment

2. Details on the mandate and appointment of the Panel can be found in annex 3.

B. Methodology

3. The Panel is determined to ensure compliance with the standards recommended by the Informal Working Group of the Security Council on General Issues of Sanctions in its report (S/2006/997, annex). Those standards call for reliance on verified, genuine documents and concrete evidence and on-site observations by the experts, including taking photographs, wherever possible. When physical inspection is not possible, the Panel will seek to corroborate information using multiple, independent sources to appropriately meet the highest achievable standard, placing a higher value on statements by principal actors and first-hand witnesses to events. While the Panel wishes to be as transparent as possible, in situations in which identifying sources would expose them or others to unacceptable safety risks, the Panel will withhold identifying information and place the relevant evidence in secure United Nations archives.

4. The Panel is committed to impartiality in investigating incidents of non-compliance by any party.

5. The Panel is equally committed to the highest degree of fairness and will endeavour to make available to parties, where appropriate and possible, any information available in the report for which those parties may be cited in relation to incidents of violations or non-compliance, for their review, comment and response within a specified deadline.

6. The Panel safeguards the independence of its work against any efforts to undermine its impartiality and any attempts to create a perception of bias.

C. Cooperation with stakeholders and organizations

7. A list of institutions, organizations and individuals consulted can be found in annex 4. A list of outgoing correspondence can be found in annex 5, with the level of responsiveness reflected in annex 6.

1. Member States

8. Since the submission of its previous final report (S/2017/466), on 1 June 2017, the Panel has undertaken formal visits to meet with national authorities and other relevant stakeholders in Belgium, Egypt, France, Greece, Italy, Libya, the Netherlands, the Niger, Spain, the Sudan, Switzerland, Tunisia, Turkey, the United Arab Emirates, the United Kingdom of Great Britain and Northern Ireland, the United States of America and the Cayman Islands. In addition, the Panel travelled to hold meetings with interlocutors, including from the Libyan diaspora, in Athens, Ben Gardane (Tunisia), Brussels, Cairo, Catania (Italy), Deauville (France), Djerba (Tunisia), Istanbul (Turkey), London, Misratah (Libya), Nicosia, Palermo (Italy), Paris, Rome, Serres (Greece), Sousse (Tunisia), Tripoli and Tunis.

2. Libya

9. The Panel has visited Libya five times since its reappointment in August 2017, including stays of two or more days. Regular flights operated by the United Nations Support Mission in Libya (UNSMIL) into Libya and strong support from and flexibility on the part of UNSMIL facilitated the Panel's access. In addition, the Panel held interviews with interlocutors in Libya remotely.

3. United Nations and other entities

10. The Panel interacts frequently with UNSMIL and regularly meets the Special Representative of the Secretary-General for Libya and Head of UNSMIL, Ghassan Salamé. In addition, the Panel was able to engage positively with the different divisions of UNSMIL on subjects covering the breadth of its mandate.

11. The Panel met and exchanged information with United Nations expert groups covering the sanctions regimes for the Democratic People's Republic of Korea, Mali, the Sudan, South Sudan and Islamic State in Iraq and the Levant (ISIL) and Al-Qaida.

12. During the course of its mandate, the Panel also met representatives of the International Organization for Migration (IOM), the World Customs Organization, the World Bank, the European Union, the European Union Naval Force Mediterranean, the European Union Border Assistance Mission, the United Nations Office on Drugs and Crime, the Office for the Coordination of Humanitarian Affairs, the Office of the United Nations High Commissioner for Refugees, the United Nations Interregional Crime and Justice Research Institute, the International Committee of the Red Cross and the International Criminal Court.

D. Structure of the report

13. The structure of the present report is in keeping with the various components of the Libya sanctions regime and the Panel's mandate as outlined in successive resolutions. In addition to the present report, the Panel has provided separately to the Security Council Committee established pursuant to resolution 1970 (2011) concerning Libya information on individuals who, in the Panel's view, meet the sanctions designation criteria.

II. Acts that threaten the peace, stability or security of Libya or acts that obstruct or undermine the successful completion of its political transition

14. Over the reporting period, armed groups further increased their influence over Libyan State institutions, promoting their own political and economic interests. The use of violence to take control of State infrastructure and institutions and threats and attacks against public servants are widespread across the country and are particularly noticeable in Tripoli. Predatory behaviour by armed groups is resulting in the misappropriation of Libyan State funds and the deterioration of institutions and infrastructure. The violent competition to capture the Libyan State is hampering the political transition in the country.

15. Targeted persecutions and serious human rights violations are deepening grievances among some categories of the population and ultimately threatening long-term peace and stability in Libya.

A. Threatening or coercing Libyan State financial institutions and the Libyan National Oil Corporation, or engaging in any action that may lead to or result in the misappropriation of Libyan State funds

1. Act against the Libyan Investment Authority

16. The Panel has received credible reports about the interference of the Nawasi Brigade, an armed group, in the activities of the Libyan Investment Authority. The management of the Authority was compelled to recruit candidates from the group, and a commander of the brigade threatened the management when it did not accede to the requests. For a couple of months, some of the senior management had to move out of Tripoli. In May 2018, the Authority tried to move its headquarters out of the present location in Tripoli Tower to remain operational. This was strongly opposed by the armed group, and one employee was abducted for a few hours.

2. Acts against the National Oil Corporation

17. The Panel has observed with concern that armed groups have been attempting to gain influence over the National Oil Corporation. For example, on 7 February 2018, a commander of the Tripoli Revolutionaries Brigade met a member of the Board of Directors at the Corporation's premises in Tripoli, seeking to impose a deal.[1] A second meeting took place on 19 February 2018 outside the premises. The commander claimed to represent a Canadian company. He made threats of violence to force a deal for the company (see annex 7). The company did not reply to the Panel's request for clarification.

3. Blockades against oilfields in the Sirte basin

18. On 1 November 2017, local authorities demanded that Wintershall, a German petroleum company operating concessions C-96 and C-97 in the eastern Sirte basin, suspend production. The suspension lasted from 1 November 2017 to 21 January 2018 in the al-Sarah field. This decision was implemented in spite of the National Oil Corporation's opposition to any interruption to production (see annex 11).

19. National divisions and the interventions of the eastern National Oil Corporation further exacerbated local tensions and drove local armed groups to take action. On 7 November 2017, members of the Fathi Arhaim Brigade of the Libyan National Army (LNA) escorted the Chair of the eastern National Oil Corporation, Faraj Said, during his visit to Wintershall's facility in Jakhira, following which he issued a statement calling for the blockade to be upheld. On 22 November, he instructed Wintershall to deal exclusively with the eastern National Oil Corporation (see annex 12). In spite of the decision of the Jakhira Elders' Council to lift the blockade in mid-January, the Fathi Arhaim Brigade directly instructed the Director of Wintershall, on 21 January 2018, to extend the suspension of production (see annex 13). Although Wintershall did not accede to this request, the incident illustrates how the interests of armed groups run counter to those of local communities and affect the normal functioning of the oil sector.

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[1] Gunmen attack a member of the Board of the National Oil Corporation to force it to make a deal with a Canadian company, *Libya Al-Akhbar*, 25 February 2018. Available at www.libyaalkhabar.com/news/27791/مسلحون-يعتدون-على-عضو-بمجلس-ادارة-الوط/.

B. Attacks against any air, land or sea port in Libya, or against a State institution or installation, or against any foreign mission in Libya

1. Attack against oil terminals in June 2018

20. On 14 June 2018, a coalition of armed groups, headed by Ibrahim Jadhran, formerly in charge of the Petroleum Facilities Guard in the central region, led an attack to take control of oil terminals, causing damage to storage facilities in Ra's Lanuf.[2]

21. The National Oil Corporation estimated the daily losses due to the suspension of oil exports subsequent to the attack to be about $33 million. The overall losses due to blockades and successive attacks against oil terminals and facilities since 2013 were estimated to be about $56 billion. Many of these acts were attributed to Ibrahim Jadhran (see S/2017/466, paras. 76 and 80; see annex 8).

22. Ibrahim Jadhran benefited from substantial financial support. The attacking force was sizeable, with more than 350 technicals. Most of the pickup trucks were bought on the local market. Mercenaries from Chad, who had been recruited by Nasser Bin Jreid, were led by Hassan Mussa during the attack (see S/2017/466, para. 70; see annex 9).

23. Members of the Benghazi Defence Brigades with links to listed entities[3] also joined the attack (see S/2017/466, para. 76). Two of its commanders were killed in an air strike on 15 June 2018.[4] In addition, former regime loyalists joined the attack, notably the Bu Omayed clan from Warshafanah (see S/2017/466, para. 96).

24. Opposition armed groups from Chad and the Sudan have been providing human resources to warring parties to the conflict in the oil crescent. LNA has been relying increasingly on Sudanese groups (see annex 10), while representatives of the Government of National Accord had also established contact with Chadian and Sudanese commanders before the counter-attack led by Ibrahim Jadhran in March 2017.[5] Most Chadian and Sudanese opposition armed groups have been seeking to increase their presence in Libya in the pursuit of profit. Their recent military defeats and the increasingly difficult circumstances in host countries have also led them to move to Libya.[6]

2. Attacks against Tripoli Mitiga airport

25. A coalition of armed groups based in Tajura' have conducted repeated attacks against Tripoli Mitiga airport since 15 January 2018. These attacks have led to several suspensions of air traffic to and from the Libyan capital, significant material losses and civilian casualties. Fighters from Benghazi, including members linked to the Benghazi Revolutionaries Shura Council, joined forces with the Tajura'-based Al Buqra Brigade. Hisham Msemir, a Misratan armed group commander, supplied arms and ammunition to the attackers.

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[2] The Benghazi Defence Brigades show readiness to disband voluntarily, *Al-Arab*, 24 June 2017. Available at https://alarab.co.uk/سرايا-الدفاع-عن-بنغازي-تعلن-استعدادها-لحل-نفسها-طوعا.

[3] Ansar al Charia Benghazi (QDe.146); Al-Qaida (QDe.004).

[4] Confirmation of the killing of Ahmad Al-Tajuri and Shikku, *Akhbar Libya*, 16 June 2018. Available at www.libyaakhbar.com/libya-news/680360.html.

[5] Government of National Accord sources indicated that a meeting had taken place to "sideline Sudanese and Chadian fighters in the ongoing struggle in the oil crescent".

[6] Interviews with a commander of the Justice and Equality Movement, June 2018, and a commander of Front pour l'alternance et la concorde au Tchad, April 2018.

3. Attack against the branch of the Central Bank of Libya in Benghazi

26. At the end of 2017, LNA Brigade 106, under the command of Saddam Khalifa Haftar, took control of the branch of the Central Bank of Libya in the central district of Benghazi and transferred substantial quantities of cash and silver to an unknown destination. The branch had been briefly under the control of the Deputy Minister of the Interior of the Government of National Accord, Faraj Muhammad Mansur (see S/2016/209, para. 96), before his detention by LNA on 20 November 2017. The contents of the safe that were seized were as follows:

(a) 639,975,000 Libyan dinars;

(b) €159,700,000;

(c) $1,900,000;

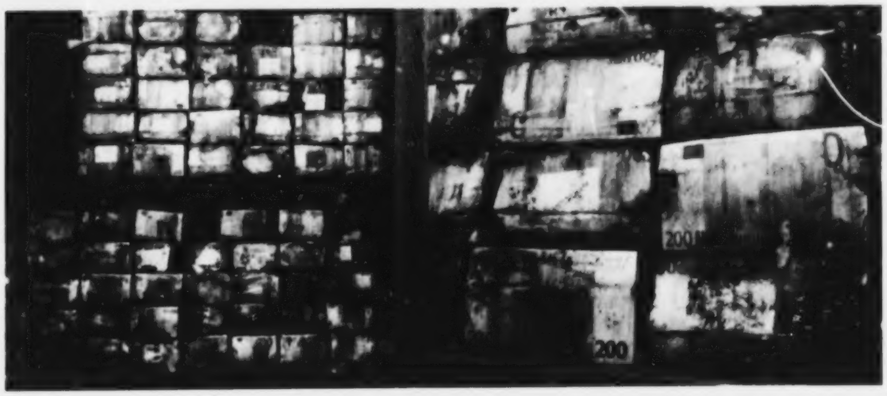
(d) 5,869 silver coins.

27. Individuals linked to LNA explained that the Army had helped to secure the transport of cash and silver coins from the Central Bank's branch in Benghazi, without specifying their final destination.[7] During a televised interview, the Vice-Governor of the parallel institution in Bayda', Ali al-Hibri, stated that the reasons why the Central Bank did not publish its yearly financial results and assets were the duplication of the institution and the fact that the branch in Benghazi had been in the line of fire between 2014 and 2017 and that the cash contained in the safe had been damaged by sewage, without giving further details.[8] The statements were contradictory and incomplete.

28. The eastern Central Bank confirmed the figures in paragraph 26 above, but explained that the safes had been flooded with sewage water. The Bank had recovered €150 million of banknotes, of which 45 per cent were damaged, and only 224,690 Libyan dinars, of which 20 per cent were damaged. The recovered banknotes were transferred from the branch in the central district of Benghazi to the new headquarters of the eastern Central Bank in Hawwari, Benghazi. An eyewitness said that he had been given access to one of the eastern Central Bank's safes in Hawwari, where about €20 million of damaged banknotes were deposited (see figures below). No undamaged banknotes were seen in the inspected safe.

Figure I

Damaged packages of euro banknotes from the safe of the Central Bank of Libya in Benghazi



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[7] Al-Fallah talks about what happened to money transferred from Benghazi, *Al-Akhbar*, 15 December 2017. Available at www.libyaakhbar.com/libya-news/517049.html.

[8] 218TV, interview with Ali al-Hibri, video, 10 June 2018. Available at https://youtu.be/MzO3mTg6Aiw.

Source: Confidential.

29. The eastern Central Bank explained that the silver coins and about 375 million dinars remained in the safe in the branch in the central district of Benghazi. It further explained that the eastern Central Bank would not enter the safe in the branch until the legal case is closed. It is unclear, however, why some funds were transferred at a previous date, whereas the rest remains in the safe. The eastern Central Bank did not respond to the Panel's question concerning the date of the transfer of cash from the Bank's branch to the headquarters in Hawwari. Furthermore, the eastern Central Bank did not provide any further details on the current whereabouts of the $1.9 million and the remaining 260 million dinars.

30. In its response to the Panel, the eastern Central Bank denied that funds had been seized by LNA. However, multiple credible sources indicated that most of the funds had been shared among LNA top commanders following their transfer from the Bank's branch in Benghazi.

31. Several bank managers indicated that LNA commanders had put them under serious pressure to grant them access to cash and letters of credit. Some had decided to move abroad for security reasons. Several cases are currently being investigated by the Panel.

C. Acts that violate applicable international human rights law or international humanitarian law or acts that constitute human rights abuses

32. Armed groups affiliated with LNA or the Government of National Accord in de facto control of detention centres and prisons committed serious human rights violations, including unlawful deprivation of liberty and torture that in some cases led to deaths. Detentions were politically, economically or religiously motivated. In October 2017, 6,500 people were held in prisons under the nominal control of the judicial police. Statistics are not available for prisons under the control of the Ministries of Defence and the Interior or for ones under the control of armed groups.[9]

33. The siege of Darnah and the indiscriminate shelling of residential districts have had the greatest impact on civilians and constitute a direct violation of human rights and international humanitarian law. The Panel is verifying video footage of summary executions of men in civilian clothing, allegedly by LNA soldiers, likely to have taken place in Darnah.

1. Case of Awliya' al-Damm Abu Hudaymah

34. An armed group called Awliya' al-Damm Abu Hudaymah, affiliated with LNA, runs an illegal detention centre in Abu Hudaymah, Benghazi. Two of its commanders, Mu'ammar al-Biha and Adil Mukhaddah (alias Mokhada), are known for their close links with Mahmud al-Warfalli (see S/2017/466, para. 100). The Panel was able to verify the authenticity of a recording of a phone call between Mu'ammar al-Biha, Adil Mukhaddah and Mahmud Al-Warfalli[10] that clearly underlines their ties. According to former detainees, Mahmud Al-Warfalli visited the detention centre at least once.

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[9] Office of the United Nations High Commissioner for Human Rights (OHCHR) and United Nations Support Mission in Libya (UNSMIL), "Abuse behind bars: arbitrary and unlawful detention in Libya" (OHCHR, April 2018).

[10] Available at www.facebook.com/karitatrables/videos/القيا-باسقاط-يهدد-مخدة-عادل/1666301516771140/.

35. Several individuals were arbitrarily detained, kept in inhumane conditions and subjected to torture. Some are still missing according to their families. Former detainees reported cases of summary executions in the detention centre. Bodies of the victims were thrown onto Zayt street. Members of the group also confiscated houses and apartments of the detainees. Families of the victims had to flee Benghazi, fearing further persecution. Some continued to receive threats by phone.

36. There are other illegal detention centres in Benghazi that are run by LNA-affiliated groups. In several cases, former detainees could not identify their exact whereabouts during their detention. The systematic arrests and disappearances of and threats against opponents of LNA in eastern Libya are alarming, especially in the context of the preparations for elections.

2. Case of Brigade 152 of the Libyan National Army

37. In the oil crescent, human rights violations were committed by local armed groups, including kidnappings, forced disappearances and arbitrary detentions. According to local sources, about 60 individuals were allegedly kidnapped in the weeks following the takeover by LNA of the oil crescent in September 2016.

38. The Panel documented the involvement of members of LNA Brigade 152 in two cases of torture and one case of death under torture in an illegal detention centre held by the brigade (see annex 14). The Panel has repeatedly requested a statement from the commander of Brigade 152 to establish the role of his unit in those cases, but he has not replied.

3. Case of the Special Deterrence Force in Tripoli

39. Interviews with families of detainees have recently indicated that many detainees were presented to the Office of the Attorney General and that their access to detainees has improved. The Special Deterrence Force gave the Panel access to a register of sentenced prisoners held in the Tripoli rehabilitation and reform centre, located in Mitiga. In October 2017, 2,600 detainees were held in that prison.[11]

40. The Panel continued to receive testimonies from former detainees of severe violations of human rights during their detention in Mitiga prison between 2015 and April 2018. They reported prolonged periods of solitary confinement, deaths in prison due to torture or deprivation of access to medical care, and the denial of family visits. They also provided similar descriptions of the torture methods used, notably during the interrogation period in the first days or weeks of detention.

41. The Panel held two meetings with the representatives of the Special Deterrence Force in Tripoli, during which they denied any involvement in human rights violations inside the prison. They specified that the Special Deterrence Force has been exclusively in charge of the perimeter of the prison, which contrasts with testimonies of former detainees. The publication of confessions by detainees held in Mitiga on the Facebook page of the Special Deterrence Force indicates that it has access to prisoners and is involved in interrogations.[12]

42. The Special Deterrence Force explained that all arrest operations are conducted with the knowledge of the Attorney General. In terrorism-related cases, they "take their instructions by phone and subsequently inform the Attorney General of the place of arrest". The Force stated that prisoners were systematically presented to the Attorney General in accordance with legal procedures. They added that there were delays "depending on the priority and importance of the cases". The Panel is,

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[11] OHCHR and UNSMIL, "Abuse behind bars".

[12] See www.facebook.com/قوة-الردع-الخاصة-1021745154586317/.

however, aware that, in at least 29 cases since June 2016, detainees were not presented to the Office of the Attorney General. The Panel does not know the current total numbers, but has information about two individuals held in Mitiga who were not presented to the Attorney General. According to testimonies, the two individuals were allegedly tortured in detention.

43. Following a recent invitation from the Special Deterrence Force, the Panel plans to visit the prison facility in the near future.

4. Case of the Anti-Crime Committee in Misratah

44. The Panel collected testimonies and documentation relating to at least one case of death under torture at Kararim prison in Misratah. The Anti-Crime Committee, a Salafi-leaning armed group, runs the prison. Testimonies revealed beatings, psychological and physical torture and dire detention conditions. In one testimony, the commander of the Committee was directly cited as being involved in interrogations and torture. Mohammad Bakir (alias Nahla) died during his detention in October 2017. Marks of torture on the body of the victim were obvious (see annex 15).

5. Case of Darnah

45. The Panel is currently investigating cases of indiscriminate shelling and summary executions allegedly conducted by LNA forces in Darnah.

46. While displaced families were granted safe passage to western Libya at LNA checkpoints, they were informed by local armed groups affiliated to LNA that their departure was definitive with no prospect of return. On 27 June 2018, amid growing concerns with respect to the displacement of local populations from eastern Libya, the LNA commander of the Omar Al Mokhtar operations room instructed the LNA Ain Mara Martyr Brigade, in charge of securing Darnah, to provide security to local families and "to evacuate their houses squatted by military personnel in liberated areas" (see annex 16).

6. Trafficking in persons

47. In its most recent report, of April 2018, IOM counted 690,351 migrants in Libya.[13] In October 2017, the Office of the United Nations High Commissioner for Refugees announced that about 20,500 migrants and refugees were held captive by smugglers in various locations.[14]

48. Trafficking in persons and smuggling of migrants remain profitable and resilient business models. The networks are organized to generate profits along the entire migrant smuggling chain. Sub-Saharan traffickers transfer migrants to Libyan actors who manage premises for the sequestration and extortion of migrants. Along the migration routes, armed groups exact passage "taxes" and provide protection services to the smugglers' convoys against payment. These schemes generate significant revenues for armed groups and presumably for tribal and State actors. Smugglers have developed practices combining the promotion of migration to Europe on social media (see annex 17), a robust financial capacity and the coercion of vulnerable migrants through fear and maltreatment (see recommendations 12 and 13).

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[13] International Organization for Migration (IOM), "Libya's migrant report: round 19" (April 2018). Available at www.globaldtm.info/dtm-libya-migrant-report-information-package-19-april-2018/.

[14] Interview with the Office of the United Nations High Commissioner for Refugees, Niamey, 17 February 2018.

49. During its current mandate, the Panel's investigations were focused on the central and southern routes in Libya.

Nigerian sexual exploitation networks

50. Following a series of interviews with Nigerian women from Benin City, in Edo State, Nigeria, the Panel initiated investigations into networks for trafficking in persons, spreading from Nigeria through Libya to Italy, specialized in sexual exploitation.[15] In each case, it was a relative or close friend who had offered the woman an opportunity to migrate to Italy to work in beauty salons or tailor shops.[16]

51. The key actors in the network are the sponsors, who operate brothels in the destination countries. They are commonly referred to as the "mamas" or "madams". They pay in advance for the travel but force the girls to take a vow on reimbursement before a local spiritual authority.[17] This commitment represents the network's key leverage to threaten the girls and their families until they have repaid the money.[18] In the cases investigated relating to the Nigerian network, the destination countries were Libya and Italy.

52. The travel is organized by bus across Nigeria and the Niger. From Agadez, in the Niger, to Libya, the girls travel under the custody of a Nigerian "connection man". To guarantee their safe passage, he must pay a "protection tax" to the Tebu armed groups operating in the regions of Qatrun, Murzuq and Sabha, in southern Libya. Young Tebus act opportunistically to make a living by escorting the convoys and facilitating the journey across the Sahara.[19]

53. The women interviewed declared that they had been sexually exploited while being detained in "connection houses" located in Qatrun, Sabha, Tripoli and Qarqarish (outskirts of Tripoli). The traffickers had detained up to 150 Nigerian girls in such houses, which were owned by Libyans and, in most cases, managed by Nigerian couples from the Yoruba tribe of Benin City. Nigerian traffickers paid the rent for the houses and shared up to 50 per cent of the benefits with the Libyan landlords. The payments were allegedly transferred between Nigeria and Libya using hawalas (see recommendations 12 and 13).[20]

54. The women reported that West African and Libyan "guests" wearing uniforms and holding arms had subjected them to collective sexual abuse during so-called "night parties". Physical abuse, sequestrations and starving were common punishments if they refused to "work". Preventive sanitary precautions against sexually transmitted diseases are not taken. Pregnancies are interrupted by administering home-made medications composed of "mixed herbs".

55. The women described frequent assaults by Libyan criminal groups composed of young men known as "Asma boys", notably in Sabha and Tripoli.[21] Armed with

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[15] Interviews with Nigerian victims of trafficking who were smuggled from Nigeria to Italy through Libya between 2015 and 2017. The interviews were organized with the assistance of the IOM offices in Niamey and Palermo, Italy, and held on 1 and 16 February 2018.

[16] Kingsley Obiejesi, "CNN investigation unveils the case of human trafficking from Edo to Libya", *International Centre for Investigative Reporting*, 27 February 2018. Available at www.icirnigeria.org/cnn-investigation-unveils-the-case-of-human-trafficking-from-edo-to-libya/.

[17] This individual was referred to as the "voodoo clerk" by the interviewees.

[18] On average, 4 million naira (approximately $11,000).

[19] Interviews with the Attorney General and the Chief of the national gendarmerie of the Niger, 16 February 2018.

[20] Uli Rauss, Mirco Keilberth and Francesca Manocchi, "Aus dem Elend in die Sklaverei", *Stern*, 26 August 2017. Available at www.stern.de/panorama/weltgeschehen/menschenhandel-von-nigeria-nach-europa--aus-dem-elend-in-die-sklaverei-7588198.html.

[21] The name "Asma boys" comes from the Arabic word for "listen". Before the networks were

knives and firearms, these men attacked the "connection houses" at night, sexually abused the women and extorted protection money.[22]

56. The women also reported mistreatment during the attempts to cross the Mediterranean Sea. In coastal areas, armed guards had fired into the air, forcing the migrants to carry rubber boats from the beach to the sea. The women stressed that they had been afraid to board the boats as they were obviously unseaworthy, but that they had been compelled to do so. The rubber boats had begun to sink within the first few hours.

57. The network maintained strong leverage over the women who reached Italy. Once they were registered with the authorities, the network expected them to contact their "mama" or else their families at home would be subjected to threats and intimidation through the aforementioned spiritual authorities.

7. Smuggling of migrants

58. The Panel continued its investigations into the smuggling of migrants through the East African migration routes, focusing on three locations in Libya: Kufrah, Tazirbu and Bani Walid. Armed groups are key players in these smuggling networks, notably through the protection of migrant convoys.

Kufrah

59. In July 2017, the director of the Kufrah detention centre reported to the Ministry of the Interior the existence of seven migration routes from Chad and the Sudan to Europe through Libya and Egypt. He estimated that 800 to 1,000 migrants, paying $5,000 each, entered Libya daily (see annex 18). Local authorities complained that "irregular migration"[23] fuelled chaos in Libya, spurring competition among armed groups over the "easy money" generated through the protection offered to the smugglers' convoys.

60. The Subul al-Salam Brigade, affiliated with LNA, is involved in the smuggling of migrants despite being mandated by LNA to combat trafficking at the border (see annex 19). The brigade provides escorts to convoys from the border with the Sudan to Kufrah at a rate of 10,000 dinars per pickup. In Kufrah, it holds migrants at the al-Himayya camp, where extortion and forced labour have been reported.

61. The Panel is continuing to investigate reports of human rights violations at the al-Qarryat camp in Kufrah, operated by LNA Brigade 432.

Tazirbu

62. The Panel is investigating two associates gathering young men and mercenaries to provide transportation and protection from the Chadian border to Tazirbu (see S/2017/1125).

63. In northern Kufrah, the al-Zany Brigade, comprising 60 men, provided protection for convoys travelling from Kufrah, passing through Jaghbūb, Tazirbu, to Bani Walid. The service was provided against a payment of 13,000 dinars per pickup.

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formed, the "Asma boys" were the facilitators of wandering migrants seeking to reach departure ports and were known for approaching migrants in the streets shouting "*asma*".

[22] Interview with the prosecutor for trafficking in persons of Catania, Italy, 2 February 2018.

[23] Libya, Law No. 19 of 2010 on Combating Irregular Migration, art. 11. Under this law, foreign nationals are considered to be irregular migrants if they do not regularize their situation within two months of arrival in the country.

64. In Tazirbu, the al-Zany Brigade is connected to two brothers who facilitate the housing of convoys. The premises are reportedly used for the systematic torture and killing of migrants who complain about abuses.

Bani Walid

65. The Panel investigated a network operating between Eritrea and Libya with a hub in Bani Walid. The organization is hierarchical and composed of a Libyan, Mousa Adyab, and three Eritrean nationals, known as Walid, Kidani and Wedi Ishaq.

66. Several local contacts asserted that Mousa Adyab secures his activities by giving food and financial support to the members of the Petroleum Facilities Guard, the Benghazi Defence Brigades and ISIL (QDe.115) gathered at the Sidadah military camp. LNA frequently conducts air strikes against the camp as it considers it to be a launching point for attacks on the oil crescent.[24]

67. The Panel interviewed Eritrean girls who had been smuggled by Walid between October 2014 and January 2017 against $7,000 as a "travel package" to Europe.[25] They stayed at a farm located on road 51, in the Tasni‘ al-Harbi area on the outskirts of Bani Walid.[26] The warehouses on the farm held up to 1,200 people, including men, women and children from Eritrea and Somalia. Mousa Adyab is the landlord and guards the place with 70 armed men (see annex 20).

68. Upon arrival, the smugglers compelled the migrants to contact their families in order for them to pay $2,000 for the last leg of travel. Walid tortured them and starved them. Some Eritreans and Somalis were shot by the smugglers when attempting to escape.

69. After payment, Mousa Adyab drove the migrants from Bani Walid to a coastal area in coordination with smugglers in Sabratah, Tarhunah, Khums and Zuwarah. Migrants were reported to have been crammed onto trucks.[27] Some died from suffocation, while others fell out of the speeding trucks. As a result, the Bani Walid hospital received several wounded or dead migrants.[28] On 15 February 2018, IOM stated that some of the migrants who survived the accident were reported to have been taken by the smugglers to an unknown location.[29]

70. On 23 May 2018, a group of 200 migrants fought against their guards and stole two weapons to escape from the farm. While they were attempting to escape, Mousa Adyab's brother, Ahmed Adyab, together with Eritrean smugglers, attempted to recapture or kill them.[30] According to the Bani Walid hospital, 25 people were severely injured and 15 died (see annex 21). Medical examinations indicated evidence of torture (see annex 21). Reports from international agencies identified a large group of unaccompanied minors among the survivors.

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[24] Four air strikes against Jadran forces and Chadian opposition withdrawing from Sidadah, *Al-Marsad*, 24 June 2018. Available at https://almarsad.co/2018/06/24/أربعة-غارات-جوية-تستهدف-قوات-جضران-و-ال/.

[25] Interview with Eritrean refugees with the assistance of the Office of the United Nations High Commissioner for Refugees in Niamey, 17 February 2018. Amount is an average.

[26] The area is known as the former ammunition factory allegedly bombed by the coalition led by the North Atlantic Treaty Organization in 2011.

[27] Interview with a confidential source, 5 May 2018.

[28] Hani Amara, "Truck packed with migrants crashes in Libya, killing at least 19", *Reuters*, 14 February 2018. Available at https://af.reuters.com/article/worldNews/idAFKCN1FY1B5.

[29] IOM, "UN migration agency assists survivors as migrants perish in Libya truck accident", press release, 15 February 2018. Available at www.iom.int/news/un-migration-agency-assists-survivors-migrants-perish-libya-truck-accident.

[30] "East African migrants escape from captors in Libyan smuggling hub", *Reuters*, 25 May 2018. Available at www.reuters.com/article/us-europe-migrants-libya/east-african-migrants-escape-from-captors-in-libyan-smuggling-hub-idUSKCN1IQ1XR.

71. According to local sources, the network has scattered since the incident and the pursuit of judicial inquiries. The Panel continues investigations into the composition of the network and its connections with listed entities (see recommendation 11).

8. Al-Hadba prison

72. The Panel is investigating cases of torture of senior officers of the former regime detained in al-Hadba prison after the revolution. Confidential sources[31] have provided evidence on the treatment of former Prime Minister Al-Baghdadi al-Mahmudi, who was confined in al-Hadba prison from 24 June 2012 until 27 May 2017, when the Tripoli Revolutionaries Brigade took over the premises. The prison had been under the control of the National Guard, headed by Khaled al-Sharif of the Libyan Islamic Fighting Group (QDe.011). The "military wing" of the prison was composed of Libyan Islamic Fighting Group affiliates whose role was to conduct torture. Some of them are now prominent leaders of armed groups such as the Benghazi Revolutionaries Shura Council and Ansar al Charia Benghazi (QDe.146).

73. Khaled al-Sharif has confirmed that he had been the head of al-Hadba prison during the period in question, overseeing both its external security and the internal functioning. He denied that torture had been employed against inmates, but he recognized that some individuals, on their own initiative, had been involved in those practices.[32] The Panel is investigating this and other cases of violations of human rights against former regime officials detained in al-Hadba between 2012 and 2017.

III. Implementation of the arms embargo

A. Overview

74. The Panel has noted that various armed groups seem to be keen to gain legitimacy by supporting efforts to combat irregular migration and to receive support from foreign actors. During the current mandate, the use of maritime vessels mounted with weapons has increased in both the east and west of the country. A growing number of armoured infantry vehicles and pickup trucks fitted with heavy machine guns, recoilless rifles, mortar and rocket launchers has also been observed in combat theatres, notably in eastern Libya. These transfers to Libya indicate that all Member States could considerably increase their efforts to implement the arms embargo.

B. By sea

1. *Alkarama*

75. Multiple media outlets[33] reported that LNA had acquired a naval patrol vessel sailing under the name of *Alkarama*. The vessel's Automatic Identification System confirmed its transfer to Benghazi on 17 May 2018. Its Automatic Identification System was switched off on 22 May.

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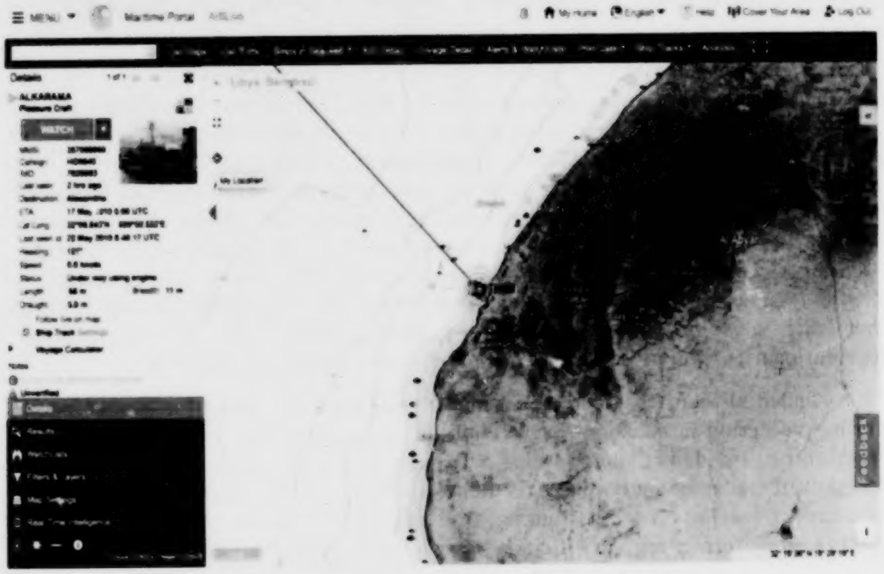
[31] Interviews in Paris and Tunis between February and May 2018.

[32] Interview with Khaled al-Sharif, Istanbul, 23 June 2018.

[33] Jeremy Binnie, "Libyan National Army takes delivery of ex-Irish OPV", *IHS Jane's Defence Weekly*, 21 May 2018. Available at www.janes.com/article/80200/libyan-national-army-takes-delivery-of-ex-irish-opv.

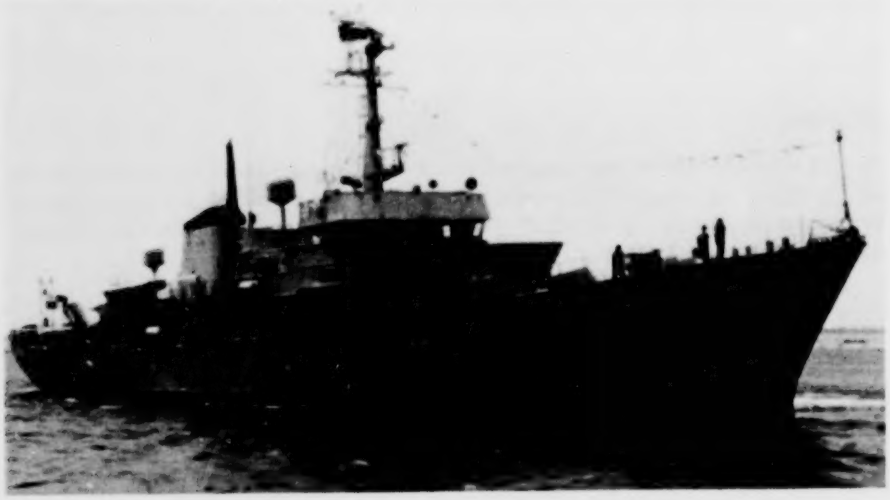
Figure 2
Automatic Identification System signal of the *Alkarama*, 17 May 2018



Source: IHS Sea-web.

76. The *Alkarama* (IMO 7820693) is registered as being owned by Universal Satcom Services FZE, which operates from a post office box address in the United Arab Emirates. The company has no website, and the Panel has been unable to establish any other contact details. The vessel is registered under a Panamanian flag as a pleasure yacht. The Panel has requested the authorities of the United Arab Emirates to provide further details on the company owning the vessel and its transfer to Libya, but has received no response.

Figure 3
***Alkarama* offshore patrol vessel**

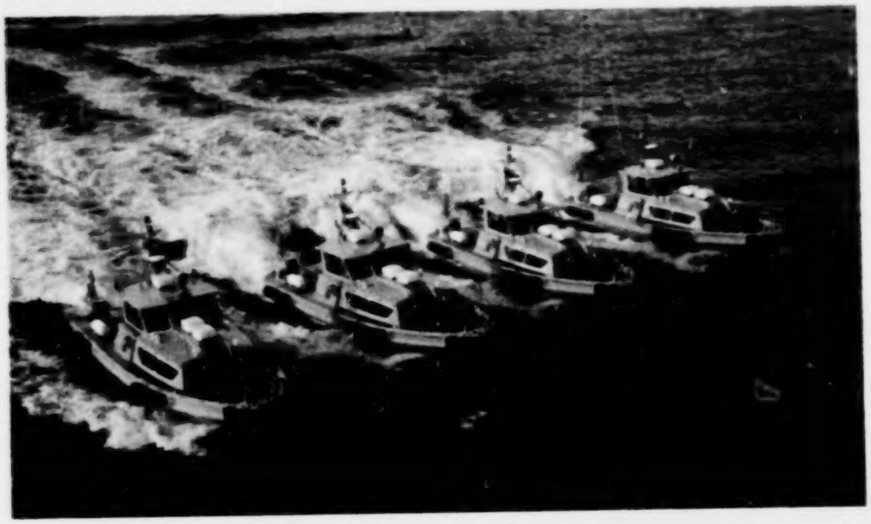


Source: IHS Jane's Defence Weekly.

2. Damen patrol craft

77. On the Damen Shipyards Group's website,[34] it states that it exported four Stan Patrol 1605 patrol craft to Libya in 2012 and another four in 2013. The Dutch authorities have acknowledged receipt of the Panel's requests for further information, which were submitted shortly before the writing of the present report.

Figure 4
Stan Patrol 1605 patrol craft transferred to Libya



Source: Damen Shipyards Group.

3. *El Mukhtar* first seizure

78. On 1 May 2017, the European Union military operation in the Southern Central Mediterranean (EUNAVFOR MED Operation SOPHIA) inspected the vessel *El Mukhtar* in international waters off the coast of Libya. The vessel had departed from the port of Misratah and was reported by the master to have been heading to Benghazi. During the inspection, numerous weapons, ammunition and associated materiel were discovered and subsequently seized by EUNAVFOR as they had been transferred out of Libyan territorial waters. The majority of these items were subsequently made available for inspection by the Panel, with the exception of a rocket-propelled grenade launcher and a rocket-propelled grenade, which had been disposed of for safety reasons. Examples of the items seized are shown in annex 22.

4. *El Mukhtar* second seizure

79. On 19 June 2017, the *El Mukhtar* was again interdicted by EUNAVFOR MED in international waters off the Libyan coast, travelling from Misratah to Benghazi, with weapons and ammunition found to have been transported out of Libyan territorial waters. On this occasion, the vessel was carrying five assault rifles, two medium machine guns and 877 rounds of 7.62-mm ammunition. The weapons and ammunition were disposed of without the Panel gaining access to them, which has prevented further investigations into their origins.

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[34] See https://products.damen.com/en/ranges/stan-patrol/stan-patrol-1605/deliveries/spa-1605-burdi-sloug-besher-izreg.

80. After both seizures, the vessel and its crew were allowed to continue with their activities, albeit without the military materiel that had been seized (see recommendation 1).

5. Potential attempt to transfer explosives and detonation cords to Libya: the *Andromeda* case

81. On 10 and 11 January 2018, news agencies reported the seizure of explosives, detonators and detonation cords on board the motor vessel *Andromeda* (Tanzanian flag; IMO 7614666), allegedly on its way to the port of Misratah.[35] According to the Greek authorities, the *Andromeda* was approached on 6 January as the vessel's Automatic Identification System had been deactivated and showed suspicious behaviour. After a first search, the Hellenic coastguard escorted the *Andromeda* to the port of Heraklion, Greece, where a specialist team inspected the vessel. While the cargo papers showed Ethiopia as the final destination for the explosive materials and the port of Salalah, in Oman, for the gas tanks, initial investigations of the Panel indicated that the vessel was meant to discharge the whole cargo in Misratah. In accordance with paragraphs 9 and 12 of resolution 1970 (2011) and paragraph 20 of resolution 2213 (2015), the Greek authorities seized the shipment on the suspicion that the *Andromeda* was attempting to violate the arms embargo.

82. In the light of the Panel's investigations, it is difficult to establish whether a concrete attempt was made to violate the arms embargo. According to the Panel's evidence, no such attempt was made by the companies involved in the commercial transaction. The Turkey-based company Orica-Nitro is a producer and distributor of commercial explosives. The company has regularly sold and shipped commercial explosives to three companies operating in Ethiopia since 2015 (see annex 23). One of the Ethiopian companies provided documents to the Panel confirming regular purchases from Orica-Nitro. There is no indication at present that any of these companies intended to transfer the material on board the *Andromeda* to Libya.

83. The Panel is still assessing whether any of the individuals and companies involved in the shipment of the explosive materials acted in non-compliance with the arms embargo. At present, the investigations indicate that the *Andromeda* did not cross Libyan territorial waters with the cargo (see annex 24).

84. Orica-Nitro contracted Armada Shipping, an Istanbul-based freight agent. The Lebanon-based Contchart Commodities chartered, on behalf of Armada Shipping, the *Andromeda*, which is owned by Andromeda Shipmanagement SA, a share company registered in the Marshall Islands and managed by a Greek national. The deal between Contchart and Andromeda Shipmanagement was brokered in turn by the Destel Group, based in Greece. The *Andromeda* was banned from European ports for safety reasons in August 2017.[36] The ship manager and his business associate from the Destel Group had planned to sell the vessel for scrap in India and sought a final cargo delivery, notably to cover the Suez Canal fees. Despite the safety and financial issues related to the vessel, Armada Shipping and Contchart Commodities contracted the *Andromeda* to ship the dangerous goods containers.

85. The *Andromeda*, on 18 November 2017, picked up 11 gas tanks at the port of Iskenderun, Turkey, and, on 19 November, reached the port of Mersin, Turkey, where the ship loaded 29 containers of explosive materials. The freight agent at Mersin was

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[35] "Libya-bound ship loaded with explosive materials seized in Greek waters", *World Maritime News*, 11 January 2018. Available at https://worldmaritimenews.com/archives/240357/libya-bound-ship-loaded-with-explosive-materials-seized-in-greek-waters/.

[36] Paris Memorandum of Understanding on Port State Control, "M/V 'ANDROMEDA' IMO 7614666 refused access to the Paris MoU region", 31 August 2017. Available at www.parismou.org/mv-andromeda-imo-7614666-refused-access-paris-mou-region.

Reba Shipping AS, which was in charge of loading the cargo onto the vessel. The master of *Andromeda* signed an authorization for Reba Shipping to sign the bills of lading. On 23 November, the vessel sailed towards the anchorage of Bur Sa'id, Egypt, but the vessel's manager claimed that the bill of lading had not been issued correctly as it mentioned the freight as "prepaid" (see annex 23). This initiated a dispute over the freight payment that dragged over several weeks, keeping the *Andromeda* from reaching its destination.

86. Armada Shipmanagement and the Destel Group stressed that they had agreed to payment on delivery for 22 to 24 containers. In contrast, Contchart Commodities and Armada Shipping insisted that the bills of lading were binding and that Andromeda Shipmanagement had to take out insurance for the Suez Canal and the Red Sea. At Bur Sa'id, the owner of the *Andromeda* refused to proceed unless the bills of lading were corrected and the full freight paid, as well as additional costs and the Suez Canal fees. At some point the vessel's manager reportedly resorted to blackmailing and threatened to discharge the cargo to retrieve his payment through the cargo's auctioned sale (see annex 24).

87. In parallel to the dispute, the vessel encountered serious technical problems two days after departure, leading to the failure of its Automatic Identification System, the fresh water pump and other systems. Bad weather, the failure of the vessel's electrical system and the poor state of the crew led the vessel's manager and master to leave Bur Sa'id and to request, on 14 December, permission to discharge the cargo at the port of Misratah. Although the vessel was granted a permit for a 10-day transit, it sent distress signals to the port of Astakos, Greece, on 20 December and the port of Bar, Montenegro, on 22 December (see annex 25).

88. The ship owner stated to the Panel that he had never intended to sail to Misratah. His request for permission to discharge at Misratah was for the sole purpose of blackmailing the freight agents and charterer. He further claimed that he had given instructions to the vessel's master to sail back to Bur Sa'id once the weather conditions improved (see annex 26). The Panel requested a copy of the statements of the crew to establish whether the ship manager had given instructions to sail to Misratah. At the time of writing, the Greek authorities could not share the statements with the Panel because of the ongoing investigation. Although the behaviour of the ship manager has been erratic and potentially illegal, there is little indication that he intended to sell the goods to a third party in Libya.

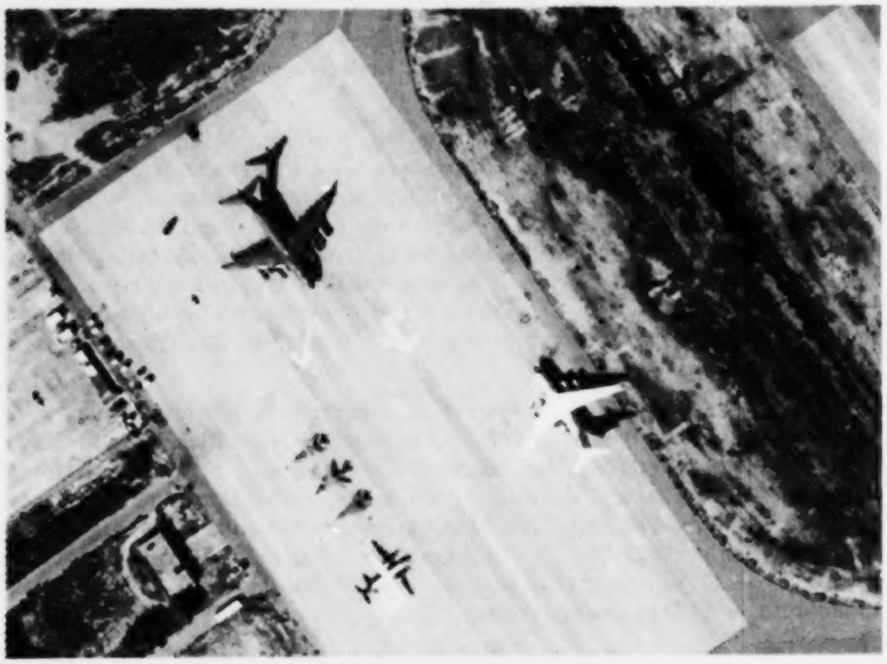
C. By air

1. United States Air Force C-17 military transport aircraft flying to Benina and Misratah airports in 2018

89. The Panel received information on the presence of large military cargo planes at Benina and Misratah airports and used satellite imagery to verify the information. It noticed the presence of C-17 Globemaster military transport aircraft on 24 February and 16 March 2018 at Misratah airport and on 18 March at Benina airport. Analysis of the satellite imagery suggested that the planes were C-17 aircraft operated by the United States Air Force.

Figure 5

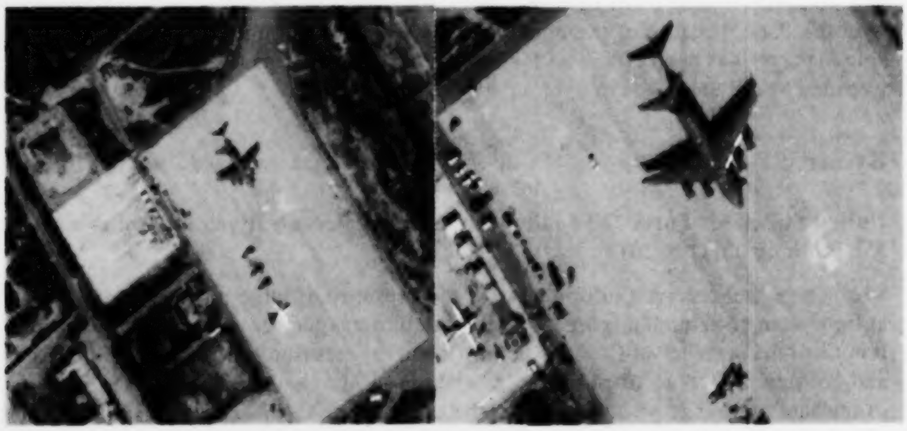
Satellite imagery of C-17 with United States Air Force markings on the wings and IL-76 at Misratah airport, 24 February 2018



Source: www.terraserver.com (accessed on 21 June 2018).

Figure 6

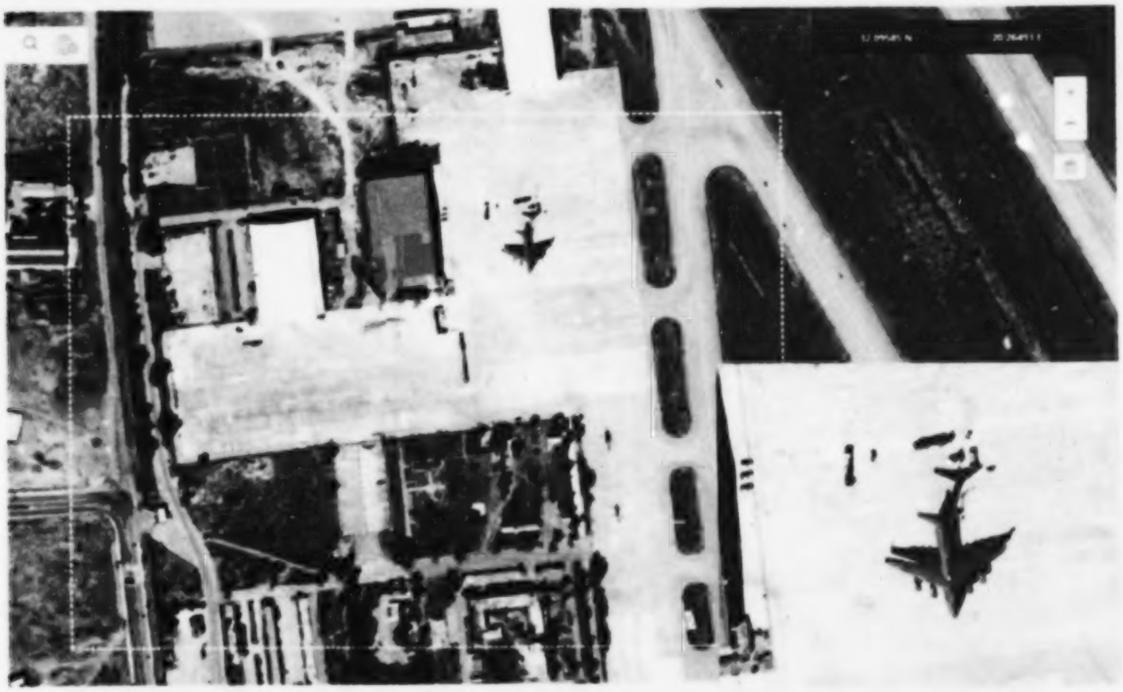
Satellite imagery of C-17 with markings indicative of the United States Air Force on the wings at Misratah airport, 16 March 2018



Source: www.terraserver.com (accessed on 21 June 2018).

Figure 7

Satellite imagery of Benina airbase, 18 March 2018



Source: www.terraserver.com (accessed on 21 June 2018).

90. According to data of the European Organization for the Safety of Air Navigation, over the past five months, United States Air Force C-17 flew regularly to Misratah and Benina. The aircraft departed from various airports, including Ramstein, Germany, Djibouti International, Chania International, Greece, Royal Air Force Brize Norton, United Kingdom of Great Britain and Northern Ireland, and Trapani Birgi, Italy. At least 15 flights were recorded by the Organization (see annex 27), and one more flight appears on the satellite imagery above.

91. The Panel requested information from the United States authorities on the nature of these flights and what material was transferred to Libya. A response is pending.

2. L-39c military training aircraft

92. According to a news report of 17 May 2018, the private jet company that owned and operated the F900 regularly chartered by Khalifa Haftar (see para. 121) provided support to the LNA air wing.[37] It was claimed that the company used its L-39c aircraft to provide training to Libyan air force pilots in eastern Libya and that LNA sought to refurbish the multiple L-39 aircraft stationed at the Birak al-Shati' airbase using the L-39 repair workshop built at the Tamanhint airbase in the mid-1980s.

93. The Panel investigated this potential violation of the arms embargo by the company, which is registered in the United Arab Emirates, and received footage of a military parade held on 10 May at Benina airbase. The footage shows an L-39c featuring the markings and logo of Sonnig SA, a Geneva-based private airline (see annex 28).

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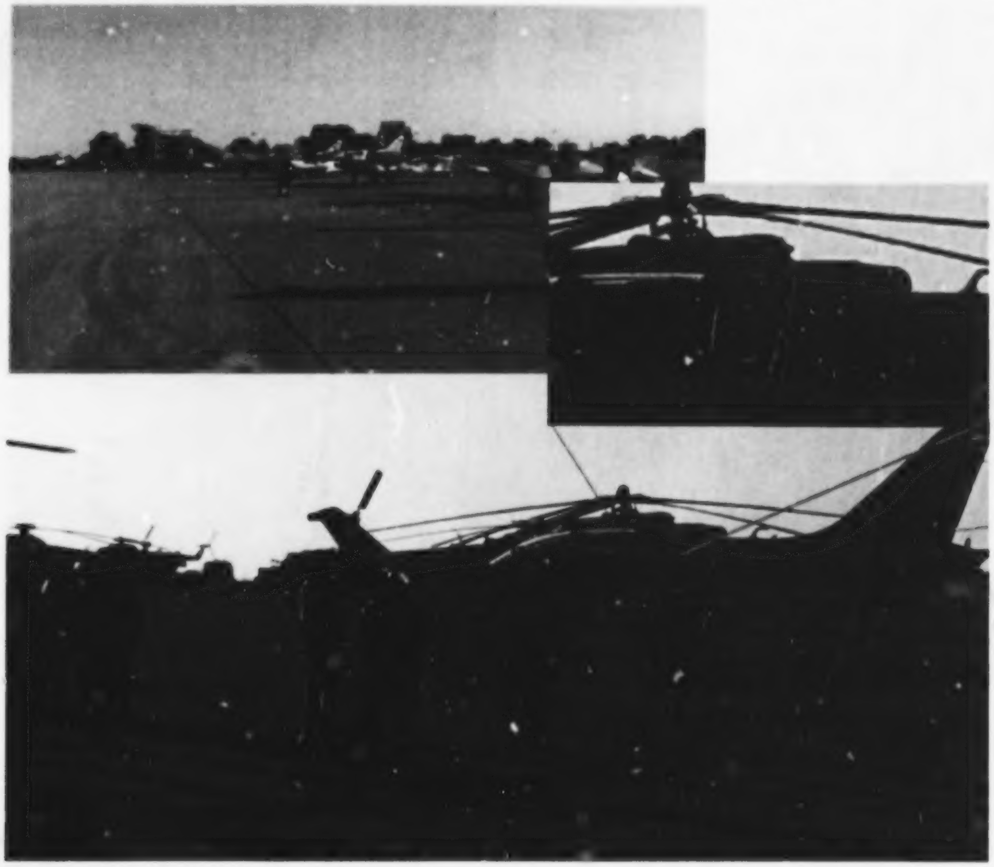
[37] "Riccardo Mortara boosts Haftar's air power from Fujairah", *Maghreb Confidential*, No. 1293 (Paris), 17 May 2018.

Figure 8

Snapshots from a video taken during a parade at Benina airbase, 10 May 2018



Source: Confidential.

94. The same aircraft was spotted on 29 March at Turin Airport, Italy. According to data of the European Organization for the Safety of Air Navigation (see table 1), the operator submitted and reported a flight plan from Turin Airport to Abraq International Airport in eastern Libya.

Table 1

L-39c flight (tail No. N393WA) on 29 March 2018

Departure time	*Arrival time*	*Airport of departure*	*Airport of arrival*
07:43:00	08:55:47	Turin Airport, Italy	Umbria International Airport, Italy
10:32:00	11:40:55	Umbria International Airport, Italy	Lamezia Terme International Airport, Italy
13:33:00	15:13:43	Lamezia Terme International Airport, Italy	Abraq International Airport

Source: Adapted from the European Organization for the Safety of Air Navigation.

95. The L-39c features a distinctive blue and white marking carrying the logo of Sonnig SA. In 2014, the Federal Office of Civil Aviation of Switzerland banned the Sonnig SA fleet because the airline regularly omitted to log its flights. Some of its aircraft have since been reregistered and are operated by Sonnig International Private Jets Fujairah, United Arab Emirates (see annex 28).[38]

96. The Panel was concerned that the plane could be used in military operations and to train Libyan pilots. The owner, who is an experienced civilian pilot, confirmed that the L-39c was stationed in eastern Libya. He explained that he was operating two private jets from Benina and Tripoli airports. He insisted that he was not providing military support. He stressed that the L-39c was totally demilitarized and could not be fitted with armament or surveillance equipment. The aircraft is used by him and his pilots as acrobatic training aircraft to maintain their skills.

97. The owner testified that only he and his pilots would use the aircraft and provided the Panel with a list of all sorties. He also provided the certificate of demilitarization.

3. Di Leva case

98. Three Italian nationals, Mario Di Leva, his wife Annamaria Fontana and Andrea Pardi, were arrested and prosecuted by the Italian authorities in connection with violations of the arms embargo on Libya between 2011 and 2015.

99. Documents relating to the prosecution indicate that Di Leva and Fontana facilitated the movement of weapons, including various types of ammunition, anti-tank missiles and man-portable air-defence systems, to Misratah, in conjunction with a Libyan national named Mohamud Ali Shaswish (also spelt Shashwish and Sashwish). A note connected to a shipment indicated that the quantities of munitions were such as to require six IL-76 aircraft to transport them.

100. Payment for one shipment is believed to have been made to the company Global Way Electronics, owned by Mario Di Leva, in the amount of $2,241,000. The actual purchase of munitions was conducted through another company owned by Mario Di Leva, High (also sometimes spelt Hight) Technology Systems Limited.

101. In order to enable Shaswish, who represented the Libyan purchasers, to meet directly with arms companies, he was portrayed as a partner and head of production at High Technology Systems Limited.

102. Further attempts to violate the arms embargo included the negotiation of contracts with Andrea Pardi, through Societa Italiana Elicotteri, a company associated with Pardi, for the purchase of:

- Three A129 Mangusta helicopters, for a combined price of €18,600,000
- 13,950 M14 rifles, for a total cost of €41,850,000
- 12 engine shut-off units for aircraft, for a total cost of €69,600,000 (the exact nature and specification of these units is unclear)
- Rocket munitions, for a total cost of €44,800,000

103. These contracts were drawn up by Pardi, with delivery to be made by air to either Misratah or Tripoli and payments to be made in instalments relative to the stages of shipment. These contracts were not fulfilled owing to the arrest of the individuals concerned.

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[38] See www.sipj.net/fleet.html.

104. Although the Panel has received details of the passport used by Shaswish during meetings with prospective suppliers, it has not received any response from the Government of Libya to its inquiries about him.

105. The negotiations for the agreements to export the material to Libya (which also concerned violations of the sanctions on the Islamic Republic of Iran that were in place at the time) were carried out in numerous countries in Europe, Africa and Asia. The material did not pass through Italian territory.

4. Air strikes

106. Member States have continued to carry out air strikes in both western and eastern Libya. Since its previous report (see S/2017/466, para. 134), the Panel has received independent, corroborated reports from multiple confidential sources that Egypt has conducted air strikes against targets in the oil crescent to support the recapture by LNA of a number of oil terminals. Egypt denied that the Egyptian Armed Forces carried out these strikes.

107. The Panel investigated further reports of air strikes by Egypt, conducted against convoys attempting to move weapons from Libya into Egypt on 27 June, 23 October and 30 October 2017.[39] In response to the Panel's inquiries, Egypt stated that "elements penetrating Egypt's borders are dealt with in a manner commensurate with the nature of the threat and in accordance with international humanitarian law". It further indicated that it was not possible to determine the amount or type of weapons being smuggled owing to the damage that they had sustained.

108. The United States conducted further strikes on 26 September and 17 and 19 November 2017 and on 24 March and 6 and 14 June 2018 against what it stated to be ISIL and Al-Qaida targets.[40] According to media reports, the United States has stated repeatedly that its air strikes have been in coordination with the Government of National Accord. In response to the Panel's inquiries, the United States stated that it conducts air strikes in accordance with international law and with respect for the sovereignty of Libya.

5. Special forces

109. The Panel investigated a report of United States military personnel operating within Libya in order to detain Mustafa al-Imam and remove him from the country.[41] The United States confirmed that, on 29 October 2017, United States forces had

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[39] "Egyptian air strikes hit 12 vehicles crossing from Libya: military", *Reuters*, 27 June 2017, available at www.reuters.com/article/us-egypt-security/egyptian-air-strikes-hit-12-vehicles-crossing-from-libya-military-idUSKBN19I1OY; "Egyptian air force says strikes arms convoy at Libya border", *Reuters*, 23 October 2017, available at www.reuters.com/article/us-egypt-security/egyptian-air-force-says-strikes-arms-convoy-at-libya-border-idUSKBN1CS20R; and "US Central Command hails Egyptian airstrikes in Wahat", *Egypt Today*, 31 October 2017, available at www.egypttoday.com/Article/1/30371/U-S-Central-Command-hails-Egyptian-airstrikes-in-Wahat.

[40] "US conducts precision strikes in Libya", *United States Africa Command*, 14 June 2018, available at www.africom.mil/media-room/pressrelease/30917/u-s-conducts-precision-strike-in-libya; "US Conducts precision strikes in Libya", *United States Africa Command*, 24 September 2017, available at www.africom.mil/media-room/pressrelease/29954/u-s-conducts-precision-strikes-in-libya; and "US conducts airstrikes in coordination with Libyan Government of National Accord", *United States Africa Command*, 21 November 2017, available at www.africom.mil/media-room/pressrelease/30110/u-s-conducts-airstrikes-in-coordination-with-the-libyan-government-of-national-accord.

[41] Donald J. Trump, President of the United States of America, "Statement by President Donald J. Trump on the apprehension of Mustafa al-Imam for his alleged role in the September 11, 2012 attacks in Benghazi, Libya, resulting in the deaths of four Americans", 30 October 2017. Available at www.whitehouse.gov/the-press-office/2017/10/30/statement-president-donald-j-trump-apprehension-mustafa-al-imam-his.

apprehended Mustafa al-Imam for his alleged role in the attacks of September 2012 on the United States Special Mission and Annex in Benghazi, which had resulted in the deaths of four Americans.

D. Update on ongoing investigations

1. Armoured vehicles

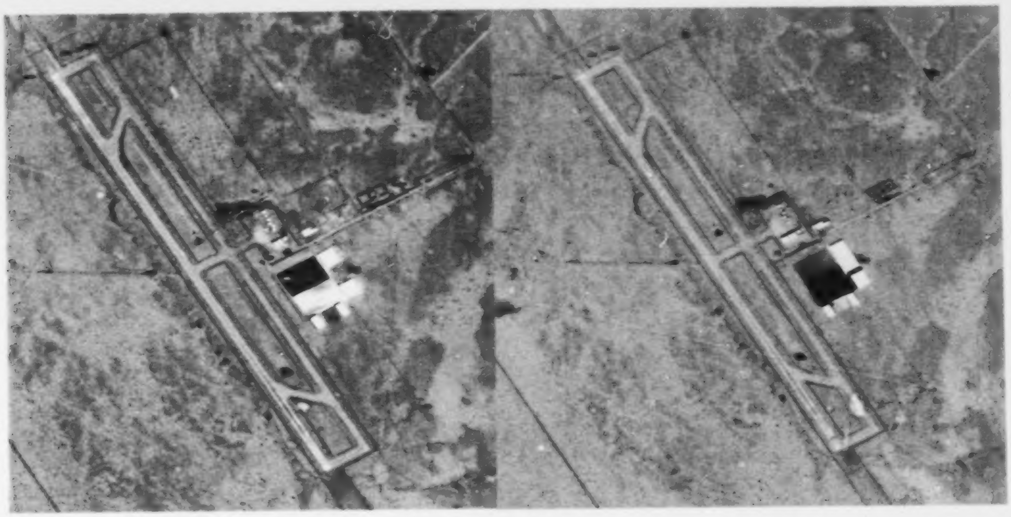
110. While it is the Panel's view (see S/2017/466, para. 164) that the transfer of armoured vehicles to Libya requires an exemption request pursuant to paragraph 13 (a) of resolution 2009 (2011) and paragraph 8 of resolution 2174 (2014), such transfers persist. The attacks by LNA against Darnah over the past 12 months have exposed the increase in the number of such vehicles since the imposition of sanctions, though no corresponding exemption requests were submitted (see annex 29).

2. Khadim airbase

111. The imagery below shows the continued development of Khadim airbase in eastern Libya (see S/2017/466, paras. 124–125).

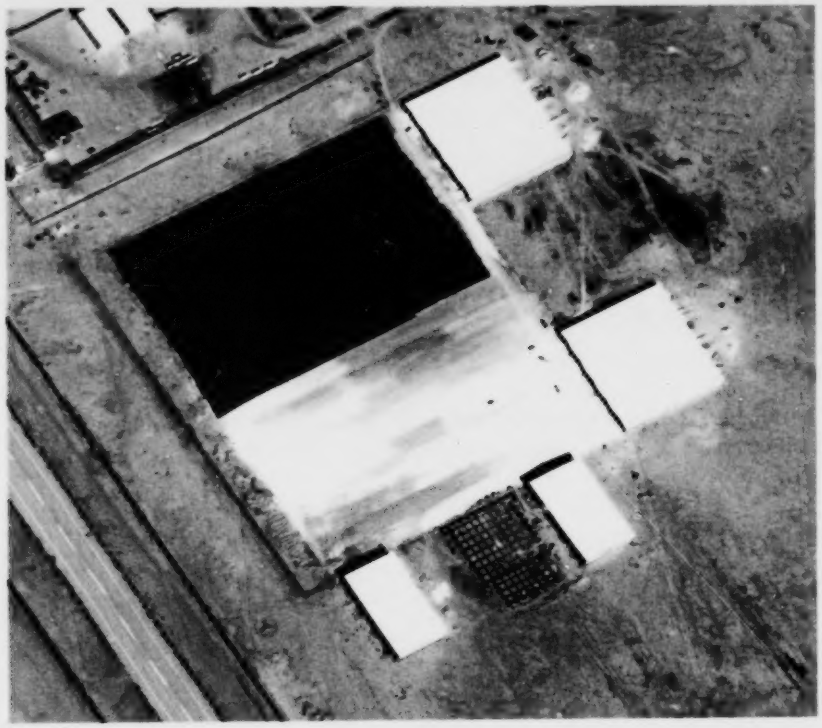
Figure 9

Satellite imagery of Khadim airbase, March 2017 (left) and November 2017 (right)



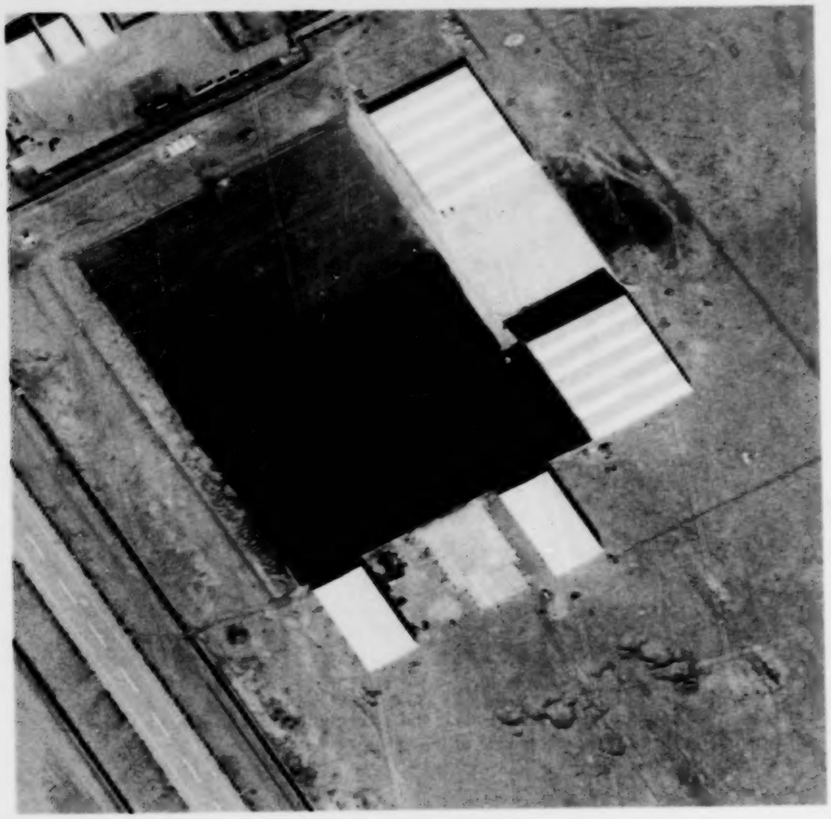
Source: Digital Globe, WorldView 2, 3 March 2017, and GeoEye 1, 10 November 2017.

Figure 10
Satellite imagery of the southern apron of Khadim airbase, March 2017



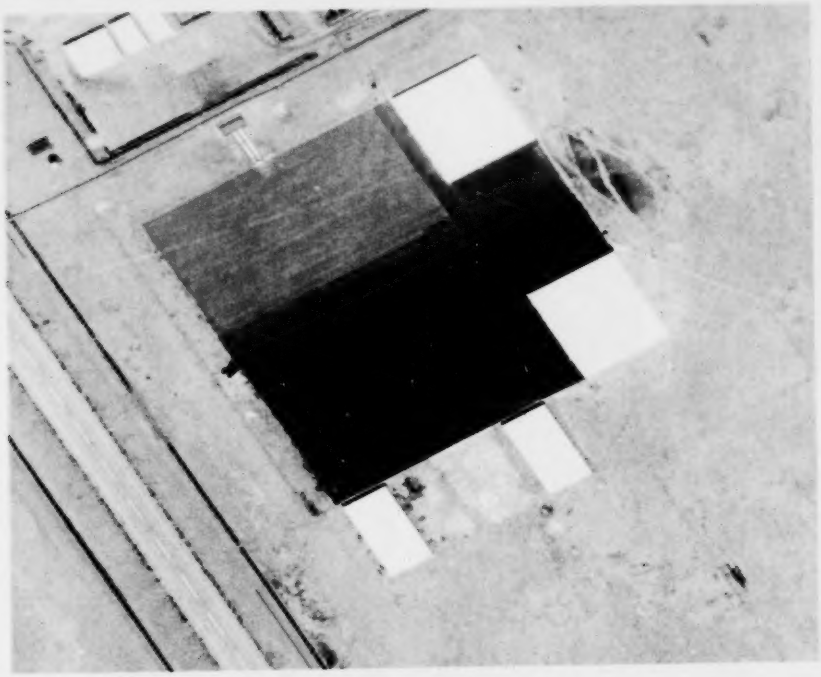
Source: Digital Globe, WorldView 2, 3 March 2017.

Figure 11
Satellite imagery of the southern apron of Khadim airbase, March 2017



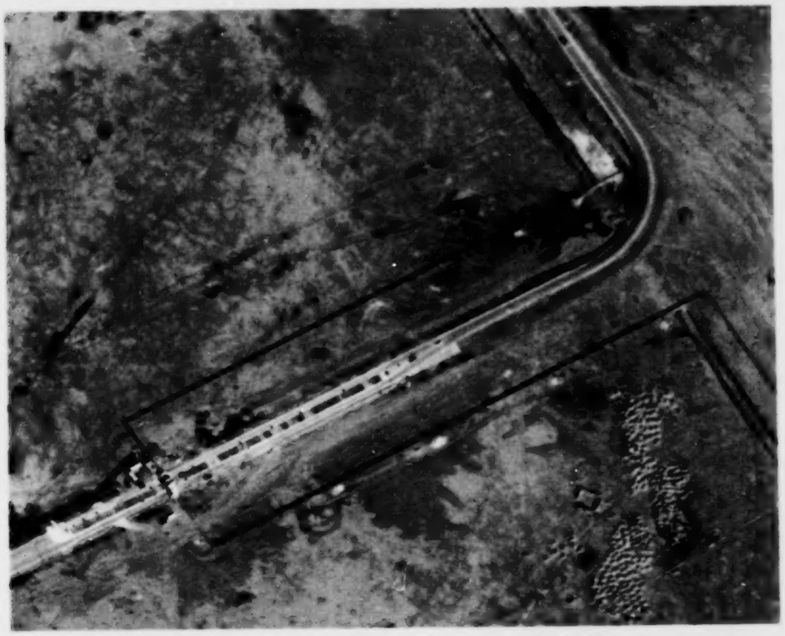
Source: Digital Globe, GeoEye 1, 10 November 2017.
Note: The area of the new apron with a hardened surface has doubled in size, with further ground preparation to the sides of the apron between hangars.

Figure 12
Satellite imagery of the southern apron of Khadim airbase, June 2018



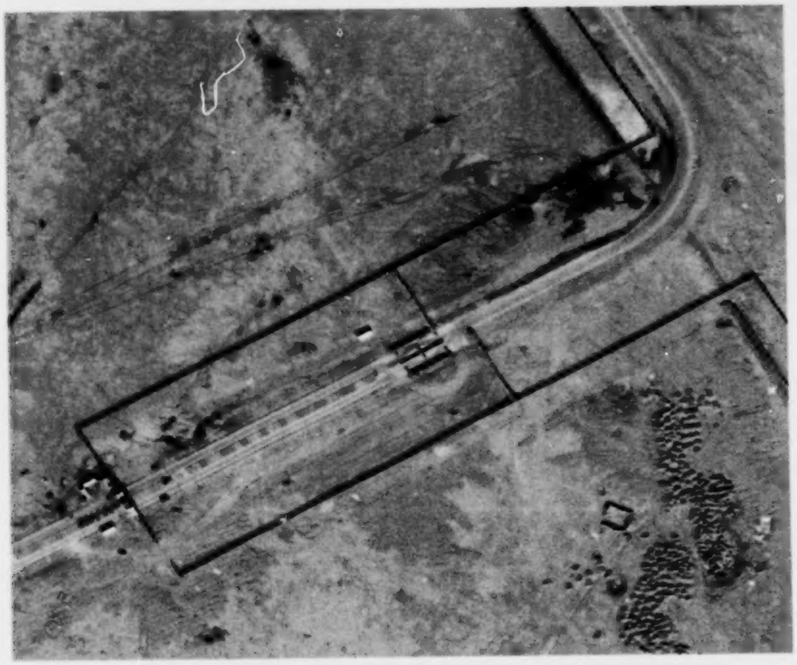
Source: Digital Globe, WorldView 3, 7 June 2018.
Note: The area between hangars has now hardened, and a new building with its own fence has been constructed on the north-western side of the apron.

Figure 13
Satellite imagery of the entrance area of Khadim airbase, March 2017



Source: Digital Globe, WorldView 2, 3 March 2017.

Figure 14
Satellite imagery of the entrance area of Khadim airbase, 10 November 2017



Source: Digital Globe, GeoEye 1, 10 November 2017.
Note: Further barriers erected within the entrance area and the building of probable search areas. Static vehicle presence has increased with vehicles integrated into entrance security.

112. The imagery from June 2018 also shows increased security within the airbase, with internal fencing around specific buildings and additional chicanes and barriers on the entrance road between the main entrance and the aprons.

113. This increased security and the continued construction demonstrate that the airbase remains in use. However, airframes appear to have been kept under cover during the passing of the satellites.

3. Guided artillery munitions

114. Following the Panel's reporting on guided artillery munitions (see S/2017/466, paras. 157–159), the Panel received a response from the Government of China indicating that China North Industries Corporation had never exported GP-1 or GP-6 guided artillery projectiles to Libya. There was no information on whether projectiles with the markings shown in the report had been exported to a third country.

115. Subsequent to the Panel's previous report, it was indicated on social media in Libya[42] that a GP-1 guided artillery projectile had been used in Warshafanah.

Figure 15
Photograph of guided artillery munition recovered in Warshafanah

Source: www.facebook.com/libyanaht1/posts/1507514629356237 and twitter.com/thelibyatimes/status/927208153728651271.

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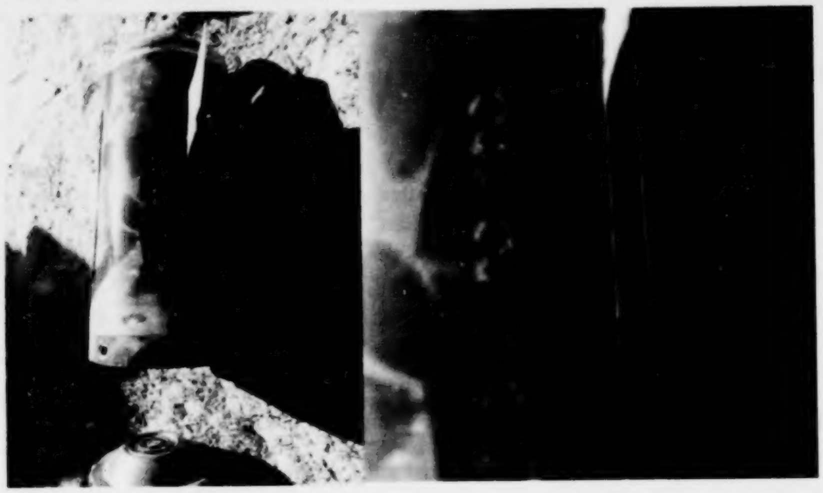
[42] See www.facebook.com/libyanaht1/posts/1507514629356237.

Figure 16

Photograph of guided artillery munition recovered in Warshafanah



Source: www.facebook.com/libyanaht1/posts/1507514629356237 and twitter.com/thelibyatimes/status/927208153728651271.

Note: The markings on the projectile are as follows: GP-1A (munition type); 155 mm (calibre); 2/319 (lot number); 2008 (year of manufacture); A-IX-II (explosive fill).

116. In response to the Panel's inquiries, the Government of China stated again that China North Industries Corporation had never exported GP-1A guided artillery projectiles to Libya, but provided no information on whether projectiles with the markings shown in the report had been exported to a third country. This information would assist the Panel in ascertaining how the munitions came to be in Libya.

4. Attempted retransfer to Libya of Czech rotary-wing aircraft Mi-24v

117. The Panel had reported previously (see S/2017/466, annex 38) on the attempted retransfer to Libya of Mi-24v rotary-wing aircraft that were sold by the Czech State-owned company LOM Praha s.p. to the United Arab Emirates. An update is provided in annex 30.

5. Civilian cargo planes providing services to armed groups

118. Following the Panel's reporting on civilian cargo planes providing support to Haftar-affiliated armed groups (see S/2017/466, annex 35), a Moldovan media outlet has been looking into the Moldovan air operators involved (see annex 31).[43] The Panel asked the Moldovan authorities about the state of the investigations, but did not receive a conclusive answer.

6. Explosive materiel seized by the Libyan National Army

119. The case of the vessel *El Mukhtar* (see paras. 78–79) is consistent with the Panel's previous reporting on regular weapons transfers from Misratah to the Benghazi Revolutionaries Shura Council. The Panel has received footage of LNA specialized units defusing improvised explosive devices in Benghazi that features large boxes containing detonating cords produced by an explosives manufacturer based in Turkey. The boxes were seized from a vessel sailing from Misratah (see

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[43] "Avioane de război", *Rise Moldova*, 30 November 2017. Available at www.rise.md/video-avioane-de-razboi/.

annex 32). In response to the Panel's inquiries, the Turkish authorities declared that the company had no records of any exports to Libya between 1 March 2011 and 4 October 2017.

E. Transfers of military materiel from Libya

120. Over the past year, the dynamics of illicit flows of arms and related materiel towards neighbouring countries have shown a reduction in large convoys of heavy military equipment, with the main exception being the transfer of armoured infantry vehicles by Darfuri armed groups returning from Libya to the Sudan.

1. Visit by Khalifa Haftar to Tunis

121. On 18 September 2017, Khalifa Haftar flew to Tunis to meet the President of Tunisia, Béji Caïd Essebsi. The voyage of his security detail with considerable military equipment constitutes an instance of non-compliance with the arms embargo (see annex 33). Despite multiple requests, the Tunisian authorities have not shared the registration information of the IL-76TD cargo aircraft and the cargo manifest with the Panel.

2. Transfers across the Tunisian border

122. During the current reporting period, there were mostly insignificant seizures of arms and related materiel coming from Libya (see annex 34).

3. Transfers to the Niger

123. Since 2015/16, the Panel has observed a shifting trend in illicit flows of weapons and ammunition coming from Libya to the Niger. According to the authorities of the Niger, convoys led by armed groups or arms traffickers occurred infrequently during the past two years. Instead, blank-firing handguns, shotguns and blank-firing ammunition trickle constantly into the northern region of the Niger. In most cases these guns are transformed to fire live ammunition. As reported previously, the Panel also documented blank-firing rounds converted to live ammunition (see S/2017/466).

124. The demand for such weapons results from increasing insecurity related to the discovery of several goldfields in the areas of the Niger bordering with Libya and Algeria (see annex 35).

4. Transfers to Chad

125. The Panel is concerned by violations of the arms embargo around the regular movement of armed groups between Chad and Libya. There have also been regular reports of incursions by elements of the Chadian armed forces into Libyan territory.

126. On 18 August 2017, the Chadian opposition group Conseil de commandement militaire pour le salut de la République infiltrated northern Chad from southern Libya to reach Darfur with several vehicles and heavily armed.[44] After they crossed the Chadian border, they clashed with special forces, killed several men and withdrew to the Libyan border with captured arms and ammunition (see figures 17 and 18).

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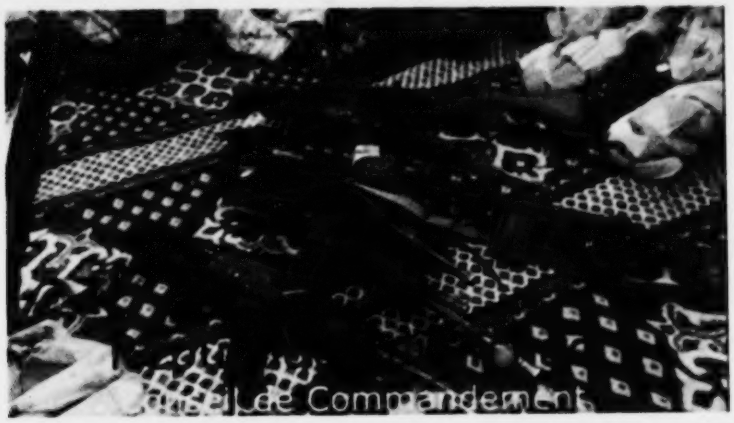
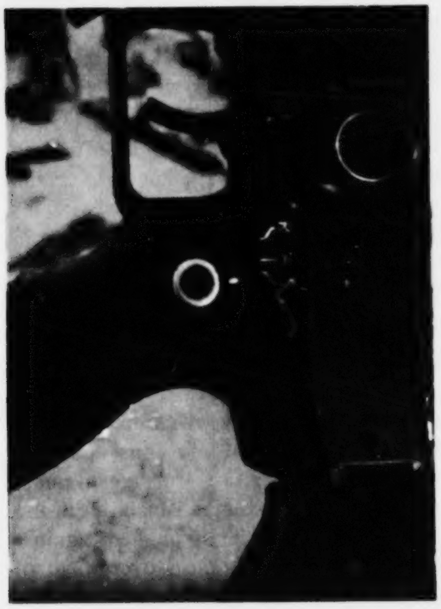
[44] "Le Niger s'apprête à extrader le rebelle tchadien Mahamat Hassan Boulmaye", *RFI Africa*, 20 October 2017. Available at www.rfi.fr/afrique/20171019-le-niger-s-apprete-extrader-le-rebelle-tchadien-mahamat-hassan-boulmaye.

Figure 17
Photograph of weapons stolen by Chadian opposition in northern Chad before withdrawing to Libya



Source: Video on the Facebook page of Conseil de commandement militaire pour le salut de la République, 28 August 2017. Available at www.facebook.com /CONSEILDECOMMANDEMENTMILITAIREPOURLESALUTDELAREPUB/videos /312258809238650/.

Figure 18
Photograph of Galil ACE 32 self-loading rifle with stamp of the Chadian special forces



Source: Video on the Facebook page of Conseil de commandement militaire pour le salut de la République, 28 August 2017.
Note: DGSSIE stands for the Direction générale des services de la sécurité et des institutions de l'État.

5. Transfers to the Sudan

127. Following an attack by the Sudan Liberation Army/Minni Minawi in Darfur in May 2017, Sudanese forces captured a number of armoured vehicles that the group had brought with it from Libya. Reporting on the materiel recovered in this incident is covered in the report of the Panel of Experts on the Sudan (see S/2017/1125, paras. 66–73).

F. Previously notified materiel

1. Overview

128. Concerns remain regarding the capacity of the Libyan authorities to securely store and manage arms and ammunition and the importance of following the guidance contained in Implementation Assistance Notice No. 2 given the scale of the materiel covered by previously approved exemption requests or notifications that received no objections.

129. Since the imposition of the arms embargo in 2011, more than 65,000 assault rifles, 62,000 pistols, 15,000 submachine guns, 8,000 grenade launchers, 4,000 machine guns and more than 60 million rounds of ammunition have been covered by approved exemption requests or notifications that received no objections. While previous Panel investigations (see S/2015/128, paras. 135–141 and annex 19, and S/2016/209, annex 25) suggest that some notifications did not result in shipments, they also indicated that much materiel remains unaccounted for.

130. The Government of National Accord has consistently claimed that it lacks sufficient armament for the limited forces under its control despite the figures above being significantly more than is required and not including materiel present in Libya before the imposition of the arms embargo. This suggests again that materiel either does not go to the intended recipients or is diverted once in Libya.

131. The Panel highlighted in a previous report that for several notified transfers end user certificates had been signed by the Ministries of Defence and the Interior (see S/2016/209, annexes 31 and 38), but the materiel had ended in the hands of armed groups. The Panel has therefore continued its investigations into end user certificates signed under the General National Congress (see annex 36).

2. Weapons and ammunition management

132. In paragraph 9 of its resolution 2362 (2017), the Security Council requested the Panel to consult the Government of National Accord about the safeguards needed to safely procure and secure arms and related materiel. The Panel provided several briefings to the Libyan authorities on exemptions and exceptions to the arms embargo. It has also reached out to the Government of National Accord and units under its control to assess their capacities to safely procure and secure arms and related materiel. The Panel had agreed to review the procedures and storage capacities of the Presidential Guard, but the review has been postponed in the light of an attack against the commander of the Guard. Nonetheless, consultations with the Government of National Accord and key stakeholders left the Panel with the impression that foreign assistance to the Government of National Accord is not dependent on weapons and ammunition management. In the same vein, the Panel could not observe an improvement in the implementation of the arms embargo at all entry points (see recommendations 2 and 3).

IV. Prevention of illicit exports of petroleum, including crude oil and refined petroleum products, under resolutions 2146 (2014) and 2362 (2017)

A. Prevention of illicit crude oil exports

133. During the reporting period, the focal point appointed pursuant to resolution 2146 (2014) did not notify the Committee of any illicit export of crude oil. The focal point has been absent throughout the mandate. The Panel documented six attempts by the eastern National Oil Corporation in Benghazi to illicitly export crude oil (see annex 37). In most cases, the National Oil Corporation in Tripoli informed the Panel (see recommendation 6). No vessels were designated for attempts to export crude oil.

134. The Chair of the National Oil Corporation, Mustafa Sanallah, and senior officials emphasized repeatedly that such attempts would persist unless action was taken. The National Oil Corporation in Benghazi, backed by the eastern authorities, seems determined to gain control over Libyan oil. The contracts signed offered large discounts of up to $5 per barrel below the reference price of the National Oil Corporation in Tripoli.

135. Following the reshuffle of the Board of Directors in August 2017, the new Chair of the eastern National Oil Corporation renewed efforts to present the institution as the sole entity authorized by law to export crude oil (see annex 38). The Interim Government, headed by Abdallah al-Thinni, supported the initiative and urged Libyan institutions and private companies to disregard Mustafa Sanallah's instructions (see annex 39).[45] The Permanent Mission of Libya to the United Nations and the National Oil Corporation opposed these actions.

136. On 26 June 2018, the LNA General Command decided to transfer control of the oil facilities in the Gulf of Sirte to the eastern National Oil Corporation. This has been the biggest challenge to the integrity of the National Oil Corporation so far.[46] LNA made the announcement after it retook control of the facilities from Ibrahim Jadhran's forces (see para. 18). The eastern National Oil Corporation immediately addressed a letter to international oil companies welcoming the decision and informing them that it was the sole entity authorized by law to sell crude oil. References were made to United Nations resolutions to induce confusion (see annex 40).

137. Subsequently, the Head of the Petroleum Facility Guards of the eastern and central regions, Naji al-Maghrebi, instructed the companies in charge of the oil terminals to prevent tankers from loading fuel until further instructions were received from the LNA General Command. The National Oil Corporation declared force majeure between 2 and 11 July 2018 in Zuwaytinah and Hariqah, the only two terminals operational at the time. The Corporation retook control of the oil facilities on 11 July 2018 (see annex 41).

138. It is important to mention that the National Oil Corporation retains its leading role both institutionally and in terms of control of facilities and infrastructure on the ground. The eastern National Oil Corporation, by contrast, is poorly staffed and currently lacks the capacity to operate efficiently.

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[45] The Interim Government was endorsed by the House of Representatives in 2014 and is based in Bayda', in eastern Libya. Following the establishment of the Government of National Accord in Tripoli in 2016, the Interim Government lost international recognition, but continues to claim legitimacy, operating mostly in eastern Libya.

[46] "Haftar hands oil terminals to parallel National Oil Corporation in east Libya", *Libya Observer*, 25 June 2018. Available at www.libyaobserver.ly/news/haftar-hands-oil-terminals-parallel-national-oil-cooperation-east-libya.

139. The transfer of the headquarters of the National Oil Corporation to Benghazi, which was agreed upon in Vienna on 16 May 2016, remains a key demand of the east. It is believed that the new premises are under construction and will be finished in three years, at which point, if security conditions allow, they will accommodate the main headquarters.[47]

Attempts to illicitly export crude oil

140. Of the six attempts to illicitly export crude oil conducted to date, three almost succeeded. The Panel received information on two agreements, dated 3 and 12 October 2017, signed between the Benghazi-based National Oil Corporation and companies registered in the British Virgin Islands and the Marshall Islands. The illicit export operations were aborted at a very late stage. It is noteworthy that the bank account provided to receive the payments, located in Bank al Etihad, Amman, was the same used in 2016, when the tanker *Distya Ameya* (see S/2017/466, para. 183) was designated (see annex 42).[48]

141. The most recent attempt took place in May 2018. The client remains unknown. A vessel flagged by the Marshall Islands was instructed to load cargo at Marsa al-Hariqah, Tubruq. The vessel sailed near Libyan territorial waters, but the operation was aborted.

B. Illicit export of refined petroleum products

142. The smuggling of fuel from and within Libya continues to be a prosperous activity. Armed groups and cross-border criminal networks generate significant profits from illicit exports of refined petroleum products. The Libyan authorities made public estimates of the losses incurred.[49]

143. Several Libyan institutions took actions against fuel trafficking. Since August 2017, the Libyan coastguard has successfully increased its operations (see para. 179). On December 2017, the Office of the Attorney General issued arrest warrants for more than 150 individuals involved in smuggling (see annex 43). In addition, the Chair of the National Oil Corporation called for a reform of fuel subsidies,[50] and the Central Bank of Libya announced that some reforms would take place, including an increase in fuel prices.[51]

144. A number of factors brought fuel smuggling by sea to a temporary halt. These included the following: the arrest on August 2017 of Fahmi bin Khalifah (also known as Fahmi Salim), a major smuggler in Zuwarah (see S/2016/209, para. 205);[52] the heavy clashes that took place in Sabratah during September and October 2017; the arrests in Italy in October 2017 of Darren Debono and other individuals who were

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[47] Interview with the Chair of the National Oil Corporation, Mustafa Sanallah, Tripoli, May 2018.

[48] "East Libya to ship more oil when UN slams sales as illegal", *Bloomberg*, 27 April 2016. Available at www.jwnenergy.com/article/2016/4/east-libya-ship-more-oil-while-un-slams-sales-illegal/.

[49] Sami Zaptia, "$750 m worth of Libyan fuel is stolen: Sanalla", *Libya Herald*, 19 April 2018. Available at www.libyaherald.com/2018/04/20/750-m-worth-of-libyan-fuel-is-stolen-sanalla/.

[50] Ibid.

[51] Sami Zaptia, "Libyan economic reform plan agreed at US-brokered Tunis meeting", *Libya Herald*, 6 June 2018. Available at www.libyaherald.com/2018/06/06/libyan-economic-reform-plan-agreed-at-us-brokered-tunis-meeting/.

[52] Sami Zaptia, "Libyan illegal migration trafficking and fuel 'king of smuggling' arrested", *Libya Herald*, 25 August 2017. Available at www.libyaherald.com/2017/08/25/libyan-illegal-migration-trafficking-and-fuel-kingpin-of-smuggling-arrested/.

part of the same criminal network as Fahmi Salim;[53] the anti-crime operation launched in January by Osama Jeweili in the west;[54] and the pressure exerted by the military council of Zuwarah on fuel smugglers. Those factors, however, had little impact on the trafficking by land. Smuggling by sea resumed in the first quarter of 2018, but there were significant changes in the smuggling networks, the modi operandi and the routes employed (see paras. 156 and 163).

145. The Panel is currently assessing the impact on smuggling of the recent designation of six individuals, including Mohammed Kachlaf (LYi.025; see S/2017/466, para. 245), the head of the Al-Nasr Brigade controlling the Zawiyah refinery (see para. 157).

1. Importing and distribution mechanism

146. Illicit exports of refined petroleum products are made possible through the persistence of networks exploiting the subsidized importation of fuel and its distribution in the country.

147. The supply department of the National Oil Corporation is responsible for purchasing refined petroleum products. A committee, chaired by the industrial department of the Corporation, holds regular meetings to determine the importing needs. Brega Petroleum Marketing Company, General Electricity Company of Libya, General Desalination Company of Libya, Mellitah Oil and Gas, Sirte Oil Company, Libyan Iron and Steel Company, as well as cement plants are represented in this committee.[55] Brega Petroleum Marketing Company has a key role, as it provides estimates of the demand.

148. Decisions taken by the committee on the quantities to be imported are not binding. They depend on the allocation by the Government of National Accord of funds to the budget of the National Oil Corporation. This has generated tensions between them. The budget did not reflect the increased prices of refined petroleum products on the international market. The Corporation raised concerns about the potential consequences of a lack of funds.

149. Once the refined products are imported, Brega Petroleum Marketing Company, a subsidiary of the National Oil Corporation, is responsible for storage and distribution. Demand is the sole criterion applied by Brega in supplying fuel to the four distribution companies.[56] Each distribution company submits its fuel requirements to Brega on a monthly basis. Tanker trucks are loaded against delivery notes that should specify the number and the location of the petrol stations to be supplied, although this is not always the case.

150. Brega failed to implement stronger control mechanisms over the distribution companies. The Brega Fuel and Gas Crisis Committee announced several initiatives

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[53] Matthew Vella, "Italians arrest ex-Malta football player Darren Debono in Lampedusa on fuel smuggling suspicions", *Malta Today*, 21 October 2017. Available at www.maltatoday.com.mt/news/national/81487/italians_arrest_malta_darren_debono_fuel_smuggling#.WjkYgNv3Ucg.

[54] Abdulkader Assad, "Anti-crime operation launched in west Libya", *Libya Observer*, 4 January 2018. Available at www.libyaobserver.ly/inbrief/anti-crime-operation-launched-west-libya.

[55] Interview with National Oil Corporation officials, Tripoli, May 2018.

[56] These are Sharara Oil Services, Libya Oil, Al Rahila and Turek Saria.

such as the identification of petrol stations involved in smuggling[57] and their closure (see annex 44).[58] To date none of these initiatives have been put into action.

151. More than 480 new petrol stations have been established since 2011. Most of them only exist on paper, allowing fuel smugglers to receive fuel (see annex 45). The distribution companies have lost control over many of their stations, notably in the west and south of the country, owing to the influence of armed groups. National Oil Corporation officials conducted a visual inspection and concluded that 90 per cent of the stations in remote areas feature no company signs and some are even closed to the public. The distributors have no control over the quantities delivered to and from those selling points.

152. An ad hoc committee that was created in April 2017 by the National Oil Corporation, in coordination with the Ministry of Economy, Agriculture and Planning, outlined the new standards for authorizing new petrol stations (see annex 46). The distribution companies had until August 2018 to verify how many of their selling points match the criteria and to make the necessary adjustments.

2. Imports of fuel

153. In its 2014 report, the Libyan Audit Bureau revealed that the quantities of refined petroleum products imported had increased substantially in 2013, compared with 2012 (see table 2). According to several Libyan energy experts, such an increase could not be explained by internal consumption alone, raising questions concerning the reasons behind this increase.

Table 2

Quantities of refined petroleum products, 2012–2016

(Metric tons)

Year	*95 octane automobile fuel*	*Diesel*	*Fuel oil*	*Cooking gas*	*Kerosene (both kinds)*	***Total***
2012	2 540 213	1 415 200	88 639	71 850	1 339	**4 117 244**
2013	3 154 218	3 219 259	251 358	138 986	13 679	**6 777 500**
2014	3 269 580	4 141 847	391 173	227 236	82 326	**8 112 162**
2015	3 286 404	3 252 970	307 880	223 021	–	**7 070 275**
2016	3 542 803	2 146 691	862 498	223 852	–	**6 775 864**
2017	3 484 658	2 144 726	470 728	237 921	–	**6 338 033**

Source: Audit Bureau.

154. According to the 2017 report of the Audit Bureau, the budget allocated to import refined petroleum products reached $3.3 billion in 2017 (see table 3). The total value of the fuel consumed, including the cost of products refined in Libya, reached $4.1 billion.

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[57] Sami Zaptia, "Fuel and Gas Crisis Committee concludes survey of southern smuggling sites", *Libya Herald*, 8 May 2018. Available at www.libyaherald.com/2018/05/09/fuel-and-gas-crisis-committee-concludes-survey-of-southern-smuggling-sites/.

[58] Safa Alharathy, "Brega Oil Marketing Company cuts fuel supplies to 20 petrol stations in western Libya", *Libya Observer*, 15 May 2018. Available at www.libyaobserver.ly/inbrief/brega-oil-marketing-company-cuts-fuel-supplies-20-petrol-stations-western-libya.

Table 3

Expenditure on fuel imports

(United States dollars)

Year	*2013*	*2014*	*2015*	*2016*	*2017*
Total	**6 557 237 285**	**7 241 018 963**	**3 759 909 591**	**2 890 439 781**	**3 319 746 718**

Source: Audit Bureau.

155. According to confidential sources, of the total amount imported, 43 per cent is used in energy production; 5 per cent is delivered to public institutions (including the army and various security forces); and 2 per cent is assigned to Libyan Airlines. The balance of 50 per cent is allocated to private consumption.

Zawiyah refinery

156. The Zawiyah smuggling network is at the heart of the fuel trafficking activities. Several armed groups operate in the fuel smuggling business. Their activities largely contribute to the mounting violence and insecurity in western Libya and, thus, threaten peace and stability in Libya and neighbouring countries. Their actions also drive up fuel prices and deprive the local populations of access to fuel. A detailed description of the network is presented in annex 47.

157. The Al-Nasr Brigade, headed by Mohammed Kachlaf (LYi.025), was put in charge of the Zawiyah refinery on 5 July 2014 by the commander of the Petroleum Facilities, the late Colonel Ali al-Ahrash. Since then, Al-Nasr has organized fuel smuggling in collaboration with armed groups in Zawiyah, Sabratah, Ujaylat and Warshafanah. Most of these groups cooperated with the Libya Dawn operations in 2014 and 2015. Sources indicate that the smuggling of refined products from the Zawiyah refinery has significantly decreased since late 2017.

158. Mohammed Kachlaf denied these allegations and any relationship with fuel smugglers. He added that his force, composed of 1,200 men, with another 1,500 being vetted, is mandated to provide external security to the refinery and prevent intrusions. The role of the Al-Nasr Brigade is limited to organizing the movement of trucks in and out of the refinery. He explained that most trucks involved in smuggling have legal permits, in which case his group had no authority to prevent them from loading. He attributed the responsibility of smuggling to distribution companies. Mohammed Kachlaf also provided some documents supporting his statements (see annex 48).

159. From the refinery to the final destination, whether it is a smuggling tanker on the coast or an illegal deposit near any of the Libyan land borders, fuel transits through several stages. The Al-Nasr Brigade is in the best position to exert control over the distribution of fuel from the refinery.

160. The Panel obtained further evidence of the collusion of elements of the coastguard in Zawiyah and Mohammed Kachlaf. The Panel provided evidence by publishing pictures of the commander of the coastguard unit in Zawiyah, Abd Al-Rahman al-Milad (LYi.026), and Mohammed Kachlaf on board the vessel *Temeteron*. The unit intercepted the vessel in Libyan waters when it was attempting to smuggle fuel out of Libya on 28 June 2016 (see annex 49).

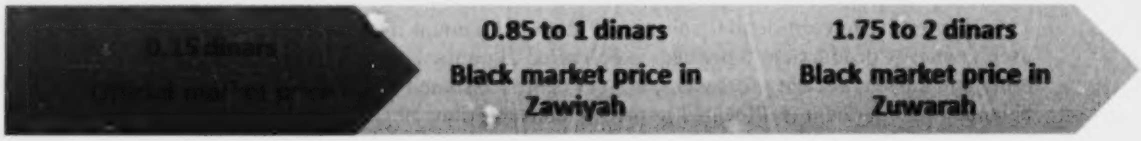
161. Al-Milad provided the Panel with documents attesting that the mission had been conducted on the basis of an order by his superiors. When interviewed by the Panel, Mohammed Kachlaf confirmed his presence on board, adding that his force had provided protection to the coastguard unit in charge of the interception upon request by the unit. A senior interlocutor from the coastguard confirmed that there is an

institutional relationship between the coastguard and the Petroleum Facility Guard in Zawiyah (see annex 50).

162. During the past year, a litre was sold for 0.85 to 1 dinars on the black market in Zawiyah. In Zuwarah, fuel was bought on the black market for 1.75 to 2 dinars, and occasionally up to 4 dinars, which is 26 times the official subsidized price.

Figure 19

Prices at the various stages of the smuggling chain in western Libya



Source: Panel of Experts on Libya.

Zintani involvement

163. Following the violent clashes in Sabratah between September and October 2017, fuel smuggling networks operating between the Zawiyah refinery and the coast of Zuwarah and Abu Kammash were forced to avoid the coastal road. A new smuggling road was then used from Zawiyah through Bi'r al-Ghanam, Bi'r Ayyad and Shakshuk to Jawash. From there, Nalut-based smuggling networks provided paths to the tankers, either to the Mediterranean coast or the south-western part of the country.

164. This route transited through an area under the control of the armed group of Imad al Tarabulsi, the special operations forces, which collected around 5,000 dinars per tanker passing through its checkpoints. Other local armed actors have been involved in escorting trafficking tankers. Families implicated in other illicit activities have also been active in fuel trafficking. The commander of the western military zone, Osama Jeweili, has thus far been unable to put an end to these activities.

3. Illicit exports by sea

165. The area of Zuwarah and Abu Kammash has been the main launch pad for illicit exports of refined petroleum products (principally, marine gasoil 0.1 per cent sulphur (ISO 8217)) by sea. The gasoil comes from the Zawiyah refinery along a route parallel to the coastal road (see paras. 156 and 164). The fuel is usually delivered to illegal fuel depots, of which there are about 40 in the area.

166. From those facilities, the fuel is transferred in smaller tanker trucks to the port of Zuwarah, where it is loaded into small tanker ships or fishing boats with modified tanks. They then supply larger ships smuggling the fuel out of Libya. About 70 boats, either small tankers or fishing trawlers, were dedicated solely to this activity.

167. The trucks also transport the fuel to one of three pumping stations located on the coast between Zuwarah and Abu Kammash. These are Marsa Tiboda, Sidi Ali and the Abu Kammash Chemical Factory (see annex 51). From the pumping stations, smugglers use dedicated pipes to load the fuel into ships waiting between 1 and 2 nautical miles offshore. It is, however, not clear how many of those pumping stations are currently functioning.

168. During the past 12 months, the smuggling networks operating in Zuwarah and Abu Kammash were divided into smaller groups to lower their profile. Small-scale schemes now predominate. There are about 20 active smuggling networks, employing around 500 people. The brothers of Fahmi Salim (see S/2016/209 para. 205), notably Nabil, Hafiz, Hakim and Fatimi, are still active.

169. The Panel received information that traffickers in the area had sought to broaden their influence and were willing to support the activities of the Libu Party,[59] led by Fathi bin Khalifah, a relative of Fahmi Salim. In an interview with the Panel, bin Khalifah denied these allegations, but failed to respond to requests to share the list of members of his party in Zuwarah.

170. Finally, it should be noted that the smugglers in the area of Zuwarah and Abu Kammash had employed three patrol vessels to provide security while the loading operations were conducted (see annex 52).

4. Vessels designated by the Committee

171. On 21 July 2017, the *Capricorn* (IMO 8900878), a tanker flagged by the United Republic of Tanzania, became the first vessel to be added to the sanctions list pursuant to paragraphs 10 (a) and (b) of resolution 2146 (2014), as extended and modified by paragraph 2 of resolution 2362 (2017) (see annex 53). On 2 August 2017, the *Lynn S*, a vessel flagged by Saint Vincent and the Grenadines, was also added to the list, following an alleged ship-to-ship transfer with the *Capricorn* (see para. 175).

172. On 25 October 2017, the Tanzanian authorities informed the Panel that the *Capricorn* had been deregistered from the Tanzania Zanzibar International Register of Shipping on 10 September 2017. The *Capricorn*, loaded with 3,130 metric tons of gasoil, unloaded its cargo into the tanks of the Syrian Company for Oil Transportation on 11 August 2017. The oil was not returned to the Libyan authorities.

173. The tanker changed ownership on 21 December 2017 and was registered on 4 January 2018 by the Palau International Ship Registry under the new name of *Nadine*, with a restriction to navigate within the Persian Gulf area.

174. On 10 February 2018, the tanker arrived at Alang, India, to be broken up for scrap. The vessel was removed from the Committee's sanctions list on 18 April 2018.

175. The Panel has confirmed that the *Lynn S* (see annex 54) moored alongside the *Capricorn* on 26 July 2017. With this manoeuvre, it sought to conduct a ship-to-ship transfer of gasoil from the *Capricorn*. The Panel has not been able to verify whether it succeeded in doing so. In their statement, the owners and the master of the vessel claimed that the ship-to-ship transfer had not been performed, as the *Capricorn* had refused to provide any official cargo documents. The *Lynn S* unmoored from the *Capricorn* on 27 July 2017 at 1600 hours.

176. The Panel has confirmed that the *Lynn S* did not enter any port until it called at the port of Beirut on 3 October 2017, with no cargo in its tanks. The total capacity of the tanks of the *Capricorn* was 4,463 metric tons. It discharged 3,130 metric tons of gasoil on 11 August 2017 in the Syrian Arab Republic. The Panel cannot assess whether the *Lynn S* received any of the remaining 1,333 metric tons of gasoil. The *Lynn S* was removed from the Committee's sanctions list on 29 April 2018. No oil was returned to Libya.

177. The *Capricorn* and the *Lynn S* both transited the Suez Canal, in August and October 2017, respectively, unimpeded by the current provisions of resolution 2146 (2014), as extended by resolution 2362 (2017) (see recommendation 4).

5. Vessels involved in fuel smuggling

178. Vessels smuggling fuel sail south from Malta to the Gulf of Gabes, Tunisia. Between 40 and 60 nautical miles off the Tunisian coast, they usually turn off the

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[59] Founded in 2017 by the former leader of the World Amazigh Congress, Fathi bin Khalifah (see www.libu.ly).

Automatic Identification System and head east to Zuwarah. After the loading, they usually return to Malta. As indicated in previous reports (see S/2016/209, para. 202), some of the vessels remain adrift at least 12 nautical miles off the coast, outside Maltese territorial waters. They discharge the fuel onto other vessels that carry it to its final destination (see recommendation 5).

179. In 2017, the Libyan coastguard impounded several vessels in the vicinity of Zuwarah following allegations of involvement in fuel smuggling (see table 4 and annex 55).

Table 4
Vessels impounded by the coastguard

Name	*IMO No*	*Flag*	*Impounded on*	*Annex 6 section*
Stark	7105419	In dispute (last, Democratic Republic of the Congo)	28 April 2017	A
Ruta	8711899	Ukraine	28 April 2017	B
Rex/Amargi	7105421	In dispute (last, United Republic of Tanzania)	29 August 2017	C
Lamar	6620034	In dispute (last, Togo)	15 March 2018	D

Source: Confidential.

180. On 6 October 2017, the Libyan coastguard opened fire on a ship allegedly involved in fuel smuggling, the *Goeast* (IMO 7526924), a vessel flagged by the Comoros. After the incident, the Turkish authorities granted the tanker anchorage and port access. The Panel contacted the Turkish authorities, but did not receive any information on its cargo. The Panel has not been able to confirm whether the *Goeast* illicitly exported fuel. Since the incident, the tanker has not operated in the central Mediterranean area (see annex 56).

181. The *Noor* (IMO 8312459), registered under the Tanzanian flag, is alleged to have illicitly loaded fuel at the end of October 2017. It is likely to have conducted one or several ship-to-ship transfers off the shore of Malta. There were strong indications thereof, but no confirmation. The vessel was broken up for scrap in January 2018 (see annex 57).

6. Illicit exports by land

182. Refined petroleum products, mainly gasoline, are illicitly exported overland from several Libyan regions at various scales. Small-scale cross-border smuggling has been taking place for decades, owing to the significant difference in the price of Libyan subsidized fuel and the price of fuel in neighbouring markets. However, criminal networks, with the support of local armed groups, are increasingly involved in trafficking.

183. As reported previously (see S/2017/466, para. 252), in western Libya, fuel transported to Zuwarah is smuggled by land to Tunisia. The smugglers cross the border illegally along two routes running south of Ras Ajdir and close to Assah. Other smuggling networks also pursue their illicit activities in the border area between Dhahibah and Wazin.

184. In the south, although the situation varies subject to local developments, most of the petrol stations are closed or do not serve fuel at the official price. The black

market is usually well stocked. The majority of the trafficking originates from the Sabha area. Various Tebu armed groups are in control of the area, between a checkpoint located 17 km south of Sabha and the border with the Niger. They have a monopoly over fuel smuggling and other illicit activities.[60]

185. In the east, smuggled fuel is loaded into tanker trucks at the Sarir refinery and delivered to the gold mine areas along the border with Chad. The refinery is under the control of the Ahmad al-Sharif Tebu armed group. The route to the border is controlled by several Tebu armed groups reaping profits from trafficking.

V. Implementation of the asset freeze

A. Frozen assets of individuals

Mutassim Qadhafi (LYi.014)

186. The Panel reported previously on major transfers of money from Moncada International Limited in Malta, a suspected front company for Mutassim Qadhafi (see S/2017/466, paras. 267–268). In response to the Panel's request, the Maltese authorities provided details on the assets, indicating that large sums have been transferred out of the Moncada account in the Bank of Valletta. In June 2011, two foreign drafts were issued in the name of the Director of Moncada, Mostafa Ali Etwijiri, for €1 million each. These were presented for encashment outside Malta to an unknown location. A further transfer of €5,688,000 was made into the account of Etwijiri in July 2011. Subsequently, amounts were transferred from Etwijiri's accounts into the account of Ayad Ramadan Agel, also in the Bank of Valetta.

187. In March 2018, the Maltese authorities informed the Panel that they had traced funds that had been transferred out of the Moncada account between 26 February and 14 July 2011. Of these funds, €3 million and $3 million were frozen. Malta is engaging in mutual judicial cooperation with the Libyan authorities to assess whether these constitute funds misappropriated from the Libyan State. The Panel requested additional information from the authorities in Malta.

B. Frozen assets of designated entities

1. Overview

188. To fully appreciate the range of issues relating to the designated entities, namely, the Libyan Investment Authority, also known as the Libyan Foreign Investment Company (LYe.001), and the Libyan Africa Investment Portfolio (LYe.002), the Panel engaged with multiple interlocutors, including past and present Chairs of the Libyan Investment Authority, fund managers, representatives of the designated entities and Member States.

189. During these discussions, it became apparent that there were several issues relating to the asset freeze, including the legal authority of the present administration of the Libyan Investment Authority in accordance with the Security Council resolutions and Libyan domestic law, the payment of interest on frozen accounts, the payment of management fees and the treatment of subsidiaries. The Panel looked in depth at a number of cases in which these issues are highlighted and which provide a basis for its recommendations.

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[60] "Tunisian army captures seven fuel smugglers in Libyan border firefight", *Libya Herald*, 16 August 2017. Available at www.libyaherald.com/2017/08/16/tunisian-army-captures-seven-fuel-smugglers-in-libyan-border-firefight/.

2. Total assets of the Libyan Investment Authority

190. The Libyan Investment Authority informed the Panel that frozen assets amounted to approximately $35 billion in December 2010. The Panel discusses below two major cases that amount to almost $32 billion.

191. The Panel also considered the following points raised by the Libyan Investment Authority:

- The Authority is prohibited from managing its investments and is unable to reinvest proceeds of matured investment. It cannot ensure that assets are in vehicles that yield competitive returns. Consequently, its fund managers and asset custodians have refrained from managing the assets.
- External fund managers continue to receive fees without managing funds.
- Banks interpret the sanctions rigidly.
- Member States adopt differing approaches. The assets of certain subsidiaries remain frozen, despite the issuance of Implementation Assistance Notice No. 1 by the Committee.
- Because of the restrictive measures it is either very time consuming or impossible to obtain licences to manage funds of existing holdings.
- Profits from cash distribution of private equity funds are placed in frozen accounts that generate very little interest.

3. Funds with the Central Bank of Libya

192. The Central Bank of Libya holds a large part of the liquid assets of the Libyan Investment Authority under an investment management agency agreement from 19 November 2008 that provides for investments through term deposits with international banks. According to the Central Bank, this amounts to approximately $17 billion, which has been kept in term deposits in various banks, mainly in Europe, with competitive interest rates. The Authority is subject to the asset freeze pursuant to resolution 1970 (2011), later modified by resolution 2009 (2011), by which, in paragraph 15 (a), the Security Council provided for the continuation of the asset freeze.

193. The Central Bank has continued with these term deposits and has reinvested the interest accrued. It has not, however, made these assets freely available to the Libyan Investment Authority. The funds are managed and supervised by the Central Bank and are treated as Central Bank funds. The banks in which the term deposits are held are not aware that the Authority owns these funds.

194. The Central Bank considers that its actions are compliant with the asset freeze as assets have not been made available to Libyan Investment Authority. Furthermore, the Bank stated that the accounts were frozen and remained blocked on its books in accordance with the resolutions.

195. It is the view of the Panel that the Central Bank should have informed the Committee that it was managing the funds. Not doing so, and managing the funds outside Libya, constitutes non-compliance with the asset freeze.

196. Furthermore, the asset freeze has not had an adverse impact on the Libyan Investment Authority, notwithstanding their claim in paragraph 191 above.

4. Euroclear Bank

197. In 2011, the original assets, comprising equity and debt securities, were frozen in Euroclear Bank accounts in Belgium. These accounts are held for other banks (the custodians of the assets) to the benefit of the Libyan Investment Authority. Euroclear transferred the interest and other proceeds, such as dividends and coupon payments, to dedicated accounts to distinguish them from the frozen assets. These were then made available to bank accounts of the Authority in third countries.

198. This situation prevailed until 23 October 2017, when a Belgian court issued a legal attachment. Since then, the interest and proceeds have not been made available to the Libyan Investment Authority. The custodian bank informed the Panel that it did not believe that the attachment had any direct link to the asset freeze.

199. A major portion of the interest and proceeds is invested by the custodian bank in term deposits, which are regularly renewed, together with the interest. The Panel considers these payments of interest and other earnings to be in non-compliance with the asset freeze, as elaborated below.

Panel interpretation regarding interest payments

200. Paragraph 20 of resolution 1970 (2011) reads as follows:

> Decides that Member States may permit the addition to the accounts frozen pursuant to the provisions of paragraph 17 above of interests or other earnings due on those accounts or payments due under contracts, agreements or obligations that arose prior to the date on which those accounts became subject to the provisions of this resolution, provided that any such interest, other earnings and payments continue to be subject to these provisions and are frozen.

201. With regard to the initial aspect that "Member States may permit", while "may" does not provide a requirement, it is clear that the option of not adding interest to frozen accounts lies only with the State.

202. The Panel would interpret "interest or other earnings" to include such items as dividend payments.

203. With respect to "due on those accounts or payments due under contracts, agreements or obligations that arose prior to the date on which those accounts became subject to the provisions of this resolution", interest and dividends are a result of the initial contract or agreement that would have been agreed to before 26 February 2011 for the assets to be frozen. In accordance with paragraph 20, it is then clear that such payments are to "continue to be subject to these provisions and are frozen".

204. By paragraph 22 of resolution 1973 (2011), the Libyan Investment Authority and the Libyan Africa Investment Portfolio were designated as subject to the asset freeze measures set out in paragraphs 17 and 19 to 21 of resolution 1970 (2011).

205. In paragraph 15 (a) of resolution 2009 (2011), it is specified that funds, other financial assets and economic resources outside Libya of the Libyan Investment Authority and the Libyan Africa Investment Portfolio that are frozen as of 16 September 2011 pursuant to the measures imposed in paragraph 17 of resolution 1970 (2011) or paragraph 19 of resolution 1973 (2011) shall remain frozen by States unless they are subject to an exemption as set out in paragraphs 19, 20 or 21 of resolution 1970 (2011) or paragraph 16 of resolution 2009 (2011).

206. This indicates, therefore, that paragraph 20 of resolution 1970 (2011) still applies to assets that are held outside Libya frozen as of 16 September 2011, which includes earnings arising from these assets after 16 September 2011 (see recommendations 7 and 8).

207. The Panel is of the view that making the interest and other earnings freely available to the Libyan Investment Authority is in non-compliance with the sanctions regime. Furthermore, considering the instability in the country, the disputes over the authority of the Libyan Investment Authority and the lack of an oversight mechanism, doing so could lead to the misuse and misappropriation of funds.

5. Palladyne/Upper Brook case

208. This case illustrates several of the issues facing the Libyan Investment Authority. Prior to the imposition of sanctions, the following three funds were incorporated in the Cayman Islands:

(a) Palladyne Global Balanced Portfolio Fund Limited, later changed to Upper Brook (A) Limited, to which the Libyan Africa Investment Portfolio subscribed to the value of $200,000,000;

(b) Palladyne Global Advanced Portfolio Fund Limited, later changed to Upper Brook (F) Limited, to which the Libyan Foreign Bank subscribed to the value of $200,000,000;

(c) Palladyne Global Diversified Folio Fund Limited, later changed to Upper Brook (I) Limited, to which the Libyan Investment Authority subscribed to the value of $300,000,000.

209. These subscriptions provided the three Libyan entities with 100 per cent of the shares in each of the respective funds, with the funds themselves owning the financial assets. This makes the funds subsidiaries of the respective Libyan entities.

210. The custodian bank for the funds was the London branch of the State Street Bank and Trust Company.

211. On 27 January 2011 the Libyan Investment Authority became the beneficial owner of the shares in Advanced/Upper Brook (F), with both the Authority and the Libyan Foreign Bank signing share transfer forms. This transfer has not been registered owing to the imposition of sanctions.

212. In November 2012, approximately 98.5 per cent of the assets of the funds were transferred to a new custodian in the form of Deutsche Bank AG in Germany.

213. Licences were obtained from the United States relating to the movement of assets from State Street Bank to Deutsche Bank on account of State Street Bank no longer being able to manage the account (it should be noted that approximately 1.5 per cent of the assets remain at the bank). Another licence was provided by the United Kingdom of Great Britain and Northern Ireland, while none were issued by Germany or the Netherlands.

214. On 16 August 2012, the fund managers established Palint Stichting to control the securities of the funds held by Deutsche Bank.

215. In 2014, the names of the incorporated funds were changed and the control of the assets was disputed. This dispute has been the subject of legal action in the Cayman Islands, the Netherlands and Libya concerning the rightful representation of the Libyan Investment Authority and the use of the shares in the funds (rather than the shares controlled by the Funds and held in custodian banks).

216. Despite the continued dispute over the control and management of the funds and the lack of extant licences, management fees continue to be paid.

217. The Palladyne/Upper Brook case highlights a number of issues concerning the asset freeze, as outlined below.

6. Subsidiaries

218. It is useful to revisit the Panel's observations in previous reports that have a bearing on the situation following the adoption of resolution 2009 (2011). The impact of this resolution was discussed in detail in paragraphs 213 to 216 of the Panel's report S/2012/163. The Committee had confirmed that no subsidiaries of any listed entity were covered by the asset freeze. This was reiterated in paragraph 202 of S/2013/99, in which reference was made to Implementation Assistance Notice No. 1, issued on 7 March 2012. In subsequent years, some Member States sought guidance on whether the assets of subsidiaries should be frozen. They were informed that subsidiaries are not subject to the asset freeze measures.

219. The structure of the Palladyne funds is such that they are subsidiaries of the Libyan Investment Authority (Upper Brook (I) and, after 27 January 2011, Upper Brook (F)) and the Libyan Africa Investment Portfolio. Such financial structures are a common feature of the Authority's asset holdings.

220. In paragraph 17 of resolution 1970 (2011) and paragraph 15 of resolution 2009 (2011), it is indicated that the assets held by the funds should therefore be frozen. In Implementation Assistance Notice No. 1, however, it is stated that subsidiaries of the Libyan Investment Authority and the Libyan Africa Investment Portfolio are not subject to the asset freeze.

221. The difficulties arising from the freezing of assets of subsidiaries was a recurring theme in all discussions with representatives of the Libyan Investment Authority, the Libyan Foreign Investment Company and the Libyan Africa Investment Portfolio. In Panel discussions with Member States, it was ascertained that assets of subsidiaries are being frozen under regional and national laws. The Panel believes that Implementation Assistance Notice No. 1 requires updating and clarification (see recommendation 7).

7. Authority over the Libyan Investment Authority

222. The Palladyne case also highlights the continued contestation of the leadership of the Libyan Investment Authority and raises the issue of individuals and entities recognized by the United Nations being challenged under Libyan national laws.

223. The Panel had reported previously on the continued division of the Authority and leadership disputes (see S/2017/466, paras. 216–225). A series of appeals and pending court rulings have prolonged the uncertainty over the prompt end of the disputes. The judicial dispute in Libya is still ongoing. The Panel notes that the Chair of the Board of Directors and Chief Executive Officer of the Libyan Investment Authority, Ali Mahmoud Hassan, is taking steps to gain control over the two branches of the Authority. Further details regarding the ongoing legal disputes contesting the leadership of the Authority is contained in annex 58.

8. Payment of fees

224. The Libyan Investment Authority has given monthly figures of the custodian and management fees paid from 2011 to 2017. There are no details of the recipients and no explanation as to whether these payments have adversely affected the Authority. The Panel considers that such financial charges are a part of the cost of doing business and cannot be termed losses.

225. It is relevant here to consider the application of the exemption measures set out in paragraphs 19, 20 and 21 of resolution 1970 (2011), which continue to be applicable in terms of paragraph 15 (a) of resolution 2009 (2011). The payment of

fees can be effected only after notification by the relevant State to the Committee of the intention to authorize access to funds for such payment (see recommendation 9).

226. In the Palladyne case, it appears that licences were initially obtained but are no longer valid. The continued payment of management fees to Palladyne without following the procedure set out in paragraph 19 (a) of resolution 1970 (2011) constitutes non-compliance with the asset freeze. The Panel continues to examine whether there are any similar cases.

9. Other assets of the Libyan Investment Authority

227. According to the figures provided by the Libyan Investment Authority, after taking account of the assets held by the Central Bank of Libya and Euroclear, there is approximately $2.5 billion remaining that needs to be analysed. Of this amount, in one case amounting to approximately $300 million, a profit of 6 per cent was made in 2017. Profits have also been made in similar cases, contradicting the assertions by the Authority. The Panel faced difficulties as little or no information was provided by several Member States for confidentiality reasons. While the Panel appreciates this concern, it notes that certain Member States, the Authority and its associates have been forthcoming with data, recognizing that the Panel cannot fulfil its mandate of assisting the Committee if such information is not available.

228. The Panel has also analysed the data provided by the Libyan Investment Authority to the Committee and has requested clarifications in view of anomalies noticed in the reporting of figures. The loss claimed to have been incurred assumes that the Authority would have invested in a manner similar to Singapore's wealth fund, which is an unrealistic assumption. Opportunity cost is a presumption and cannot be equated with actual losses. As regards equities, if there was a loss, it was not because of the asset freeze, but because of the choice of equities. Since equities do not have a time limit, there can be no argument that these have matured and cannot be reinvested. Dividends, interest and other earnings do not appear to have been taken into consideration when computing losses.

229. In terms of the information provided thus far and the results of the investigations carried out, it appears that the majority of the funds have not been adversely affected. The Panel is waiting for detailed information from the Libyan Investment Authority and Member States on the frozen assets, the assets of subsidiaries and problems faced by the Authority in the management of the assets. Such information would allow the Panel to better understand the actual effects of the sanctions on the assets of the Authority.

230. In the context of apprehension over the deterioration of funds, it is pertinent to point out that, in the reply given on 26 February 2018[61] to a question raised in the Parliament of the United Kingdom of Great Britain and Northern Ireland concerning estimates of the value of frozen Libyan assets at the time the assets were frozen and of their current value, it was stated that, in 2011, the approximate aggregate value at the time the funds were frozen in the United Kingdom was £7.5 billion. As at 30 September 2016, their value was approximately £11.7 billion. In another written answer, given on 27 March 2018, it was stated that, as at 29 September 2017, the total value of Libyan assets frozen in the United Kingdom was £12.061 billion.[62]

231. While the Panel has not been provided with details of the beneficiaries of these assets, this illustrates that the aggregate amount has not depreciated.

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[61] See www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Commons/2018-02-08/127734/.

[62] See www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2018-03-13/HL6295/.

10. Libyan Foreign Investment Company

232. The legal status of the Libyan Foreign Investment Company, which operates under the acronym LAFICO, has been discussed in previous reports (see S/2013/99, para. 225, and S/2017/466, paragraphs 237–238). The Panel had stated previously that its listing as an alias of the Libyan Investment Authority (LYe.001) was incorrect. This was emphasized again by representatives of LAFICO during recent meetings. The company has been in existence since 1981. The Libyan Investment Authority owns 100 per cent of LAFICO, but the company has a separate Board of Directors. According to company representatives, the company has been stable throughout and the divide in the Authority did not have an impact on its work. There has been no general assembly of the shareholders (Board of Directors of the Authority) since 2014.

11. Libyan Africa Investment Portfolio

233. The Libyan Africa Investment Portfolio, while stating that sanctions should remain in place, indicated that there is room for improvement. Issues highlighted were difficulties in procedures of financial institutions and cumbersome and costly procedures for obtaining licences. It requested the support of the Committee to accelerate the process.

VI. Implementation of the travel ban

234. No violation of the travel ban has been identified.

A. Updates on designated individuals of the former regime

235. The Panel has met with two designated individuals, Safia Farkash Al-Barassi (LYi.019) and Sayyid Mohammed Qadhaf Al-Dam (LYi.003), and representatives of two others. Details of the interviews are contained in annex 59.

236. The Panel requested the Libyan authorities to facilitate interviews with Abdullah Al-Senussi (LYi.018), Saadi Qadhafi (LYi.015) and Abu Zayd Umar Dorda (LYi.006), who had been imprisoned in Hadbah Prison in Tripoli. According to credible sources and media reports,[63] they are presently being held in a prison by the Tripoli Revolutionaries Brigade. There has been no response to this request.

B. Updates on individuals designated after the adoption of resolution 2174 (2014)

237. On 7 June 2018, the Committee designated six individuals pursuant to paragraph 22 (a) of resolution 1970 (2011), paragraph 4 (a) of resolution 2174 (2014) and paragraph 11 (a) of resolution 2213 (2015). The Panel is investigating the status of these individuals and possesses the following additional identifying information for some of them (see recommendation 14):

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[63] Abed Sattar Hatita and Jamal Johar, "Gaddafi's son confirmed to remain in confinement", *Asharq Al-Awsat*, 23 December 2017. Available at https://aawsat.com/english/home/article/1121716/gaddafi%E2%80%99s-son-confirmed-remain-confinement.

Mohammed Kachlaf (LYi.025)

Full name: Muhammad al-Hadi al-Arabi Kashlaf

Name in original script: محمد الهادي العربي كشلاف

Date of birth: 15 November 1988

Passport number: HR8CHGP8

Date and place of issuance: 27 April 2015, Zawiyah

National identification number: 119880210419

Personal identification card: 728498

Date of issuance: 24 February 2007

Mus'ab Abu-Qarin (LYi.024)

Full name: Mus'ab Mustafa Abu Al Qassim Omar

Also known as: Mus'ab Abu Qarin

Name in original script: مصعب مصطفى ابو القاسم عمر

Fitiwi Abdelrazak (LYi.022)

Also known as: Abdurezak, Abdelrazaq, Abdulrazak, Abdrazzak

Ermias Ghermay (LYi.021)

Name: Ermias Alem

Also known as: Ermias Ghermay, Guro

Nationality: Ethiopian

Date of birth: circa 1980

Place of birth: Eritrea

Ahmad Oumar al-Dabbashi (LYi.023)

Full name: Ahmad Omar Imhamad al-Fitouri

Name in original script: احمد عمر امحمد الفيتوري

Also known as: Al Dabbashi

Date of birth: 7 May 1988

VII. Responses to the Panel's investigations

A. Central Bank of Libya

238. The Panel made observations on the functioning of the Central Bank of Libya in its previous final report (see S/2017/466, paras. 209–215) with regard to the following:

(a) The extent of support to the Presidency Council;

(b) The blocking of the distribution of banknotes printed by the eastern Central Bank;

(c) Progress on the reunification of the two branches of the Central Bank.

239. The Central Bank has responded in detail to these observations. The full text of its reply, dated 14 December 2017, is contained in annex 60.

B. Ashraf ben Ismail

240. Ashraf ben Ismail (see S/2017/466, para. 51) presented documents indicating his financial contribution to the medical evacuation of fighters from Operation Bunyan Marsus and of a number of his employees injured during the bombing of his warehouses in Benghazi in 2014.[64] When interviewed by the Panel, ben Ismail denied any involvement in the evacuation of members of listed organizations. He stressed that, when he had been in charge of the Authority for the Care of the Wounded, he had had no means to control the identity of the wounded persons who were transferred abroad for medical treatment (see annex 61).[65]

C. Letters of credit

241. The misuse of letters of credit, which are financed by the Central Bank of Libya to allow the importation of goods and services into Libya, constitutes a diversion of Libyan State funds. The Panel has therefore been investigating cases of misuse of letters of credit since 2015. In reference to the Panel's work on the involvement of Libyan financial institutions, companies and individuals in such practices, the Panel has recently received documentation, including from parties disputing the information shared with the Committee on ongoing investigations. The Panel is reviewing the additional information received.

D. Libyan Iron and Steel Company

242. A full response on the Panel's investigation involving the Libyan Iron and Steel Company is provided in annex 62.

VIII. Recommendations

243. The Panel recommends:

Arms embargo

To the Security Council

Recommendation 1. To authorize Member States to seize vessels found to be non-compliant with the arms embargo in accordance with the precedent established for those engaged in migrant smuggling in paragraph 8 of resolution 2240 (2015). [see para. 80]

Recommendation 2. To require advance notification to the Committee of the supply of all non-lethal military equipment to Libya, as was the case prior to the adoption of resolution 2095 (2013). [see para. 132]

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[64] Interview with a member of the Misratah Municipal Council, who confirmed that the Municipal Council had asked Mr. ben Ismail to provide the financial support, April 2018.

[65] Libya, Decision No. 4 (2011) appointing the board of directors of the Authority for the Care of the Wounded (12 December 2011). Available at https://security-legislation.ly/ar/node/35084.

Recommendation 3. To require the Government of National Accord to provide updates on the structure of the security forces under its control at a regular interval as determined by the Council. [see para. 132]

Measures in relation to attempts to illicitly export crude oil and refined petroleum products from Libya

To the Security Council

Recommendation 4. To extend the scope of the measures contained in paragraph 10 (b) of resolution 2146 (2014) to prohibit vessels designated by the Committee from transiting maritime canals. [see para. 177]

Recommendation 5. To extend the scope of the measures contained in resolution 2146 (2014) to authorize Member States, acting nationally or through regional organizations, to inspect, on the high seas off the coast of Libya, vessels bound to or from Libya which they have reasonable grounds to believe are illicitly exporting crude oil or refined petroleum products. [see para. 178]

To the Committee

Recommendation 6. To encourage the Government of National Accord to appoint a new focal point pursuant to resolution 2146 (2014). [see para. 133]

Asset freeze

To the Committee

Recommendation 7. To update Implementation Assistance Notice No. 1 in order to clarify the application of the resolutions, noting the complex structure of Libyan investments subject to the asset freeze and the continued application of paragraph 17 of resolution 1970 (2011) and paragraph 15 (a) of resolution 2009 (2011). [see paras. 200–206 and 220–221]

Recommendation 8. To provide guidance to Member States on the correct application of the provisions of the resolutions regarding the payment of interest and other earnings on frozen assets. [see paras. 200–206]

Recommendation 9. To remind Member States on the correct application of the provisions of the resolutions regarding the payment of management fees on frozen assets. [see para. 225]

Designation criteria

To the Committee

Recommendation 10. To consider the information provided separately by the Panel on individuals meeting the designation criteria contained in the relevant Council resolutions.

Recommendation 11. To contribute to ending the current climate of impunity in Libya by considering those committing serious violations of human rights and international humanitarian law for designation under the Libya sanctions regime. [see paras. 65–71]

General

To the Security Council

Recommendation 12. To encourage Member States, including those contributing to the evacuation of migrants from Libyan detention centres, and international and regional organizations, to share information with the Panel on the migrants' conditions of detention and on the individuals or entities involved in trafficking in persons, money laundering, extortion, sexual abuse and exploitation. [see paras. 48 and 53]

Recommendation 13. To encourage the Government of National Accord to implement the United Nations Convention against Transnational Organized Crime, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and the Protocol against the Smuggling of Migrants by Land, Sea and Air. [see paras. 48 and 53]

To the Committee

Recommendation 14. To update the sanctions list with the additional identifying information provided by the Panel. [see para. 237]

IX. Annexes

Contents

Page

Annex 1 Abbreviations and acronyms 59

Annex 2 Overview of the evolution of the Libyan sanctions regime 61

Annex 3 Mandate and appointment 63

Annex 4 Institutions/individuals consulted 64

Annex 5 Outgoing correspondence 65

Annex 6 Responsiveness table 73

Annex 7 Letter addressed by the Chairman of the National Oil Corporation to the Ambassador of Canada to Libya 75

Annex 8 Role of Ibrahim Jadran in the Oil Crescent 77

Annex 9 Role of Nasser Bin Jreid and his links with the Union des Forces de la Resistance (UFR) 78

Annex 10 Documents attesting integration of military elements of the Sudanese opposition into LNA units 79

Annex 11 Statement of the chairman of the NOC on the blockade against al-Sarah field on 2 November 2017 87

Annex 12 Letter by the Chairman of the Eastern NOC on 22 November 2017 88

Annex 13 Letter signed by the Commander of the Martyr Fathi Arhim Brigade and addressed to Wintershall 89

Annex 14 Medical report of a former detainee in Brigade 152 of the LNA 91

Annex 15 The case of Mohammad Bakir (a.k.a Al Nahla) 95

Annex 16 Letter by Omar al-Mokhtar Operations Room 97

Annex 17 The smugglers marketing to attract candidates for migration to Europe via Libya 99

Annex 18 Director of Al-Kufra detention centre reports on illegal migration 100

Annex 19 LNA units' involvement in the smuggling of migrants in al Kufra region 107

Annex 20 Premises used to detain and abuse migrants 111

Annex 21 Escape of migrants from the premises on 23 May 2018 112

Annex 22 El Muktar Annex 114

Annex 23 MV Andromeda relevant shipping documents 122

Annex 24 MV Andromeda timeline and route 129

Annex 25 Annex Andromeda warehousing requests 143

Annex 26 MV Andromeda manager instructions to sail to Port Said 144

Annex 27 C-17 Globemaster III flights to Benina and Misrata airports 145
Annex 28 L-39 Case and Falcon F900 used by Khalifa Haftar and the LNA 146
Annex 29 Armoured vehicles of LNA armed groups 150
Annex 30 Czech rotary-wing aircraft Mi-24v attempted retransfer to Libya 153
Annex 31 Moldovan civilian cargo planes 154
Annex 32 Detonating cord 156
Annex 33 Khalifa Hafter's visit to Tunis 158
Annex 34 Tunisia 160
Annex 35 Seized arms and related material in Niger 162
Annex 36 AIK trading and White Star company 163
Annex 37 Documented attempts to illicitly export crude oil from Eastern National Oil Corporation 172
Annex 38 Letter from the Eastern National Oil Corporation claiming to be the sole legitimate institution authorized to export crude oil 184
Annex 39 Letter from the Interim Government on Mustafa Sanalla 185
Annex 40 Letter from the Eastern National Oil Corporation to international oil companies 187
Annex 41 Orders by the head of the Petroleum Facilities Guard, East and Central region 189
Annex 42 Eastern National Oil Corporation bank accounts 193
Annex 43 List of fuel smugglers issued by the Libyan Attorney General Office 194
Annex 44 List of petrol stations involved in fuel smuggling according to Brega Petroleum 194
Annex 45 List of petrol stations opened after 2011 194
Annex 46 New standards to be met by petrol stations in Libya 195
Annex 47 The Zawiyah Smuggling Network 206
Annex 48 Documents provided to the Panel by Mohamed Kachlaf 207
Annex 49 Collusion between the Coast Guards unit in Zawiyah and al-Nasr Brigade 210
Annex 50 Documents provided by Abd al-Rahman al-Milad, commander of the Coastguard Unit in Zawiyah 212
Annex 51 Pumping stations for fuel smuggling in Zuwarah area 215
Annex 52 Patrol boats used by smugglers in Zuwarah and Abu Kammash area 216
Annex 53 Capricorn 218
Annex 54 Lynn S 224
Annex 55 Vessels impounded by the Libyan Coastguard 227
Annex 56 Goeast 235
Annex 57 Noor 238

Annex 58 Legal disputes involving the Libyan Investment Authority 240

Annex 59 Designated individuals 243

Annex 60 Response by CBL on previous report 245

Annex 61 Reply by Mr. Ashraf Bin Ismail 250

Annex 62 The Libyan Steel Iron and Steel Company LISCO 253

Annex 1 Abbreviations and acronyms

AAS	Ansar Al-Sharia
AIB	Arab Investment Bank
AIS	Automatic Identification System
APM	anti-personnel mines
AQIM	Al-Qaida in the Islamic Maghreb
ARSC	Ajdabiya Revolutionaries Shura Council
BDB	Benghazi Defence Brigades
BRSC	Benghazi Revolutionaries Shura Council
CAR	Conflict Armament Research
CBL	Central Bank of Libya
CCMSR	Conseil du commandement militaire pour le salut de la République
CID	Criminal Investigation Department
Committee	Committee established pursuant to Security Council resolution 1970 (2011) concerning Libya
Council	United Nations Security Council
DCIM	Department Combating Illegal Migration
DMSC	Shura Council of Mujahideen in Derna
EU	European Union
EUC	End-user certificate
EUR	Euro
Ex-JEM	Justice and Equality Movement/Abdallah Jana
FACT	Front pour l'alternance et la concorde au Tchad
GNA	Government of National Accord
GNC	General National Congress
HoR	House of Representatives
IAEA	International Atomic Energy Agency
IAN	Implementation Assistance Notice
ICC	International Criminal Court
IED	Improvised explosive device
IMF	International Monetary Fund
IMO	International Maritime Organization
IOM	International Organization for Migration
ISIL	Islamic State in Iraq and the Levant
JEM	Justice and Equality Movement
LAFICO	Libyan Arab Foreign Investment Company
LAIP	Libyan African Investment Portfolio
LC	Letters of credit
LFB	Libyan Foreign Bank
LIA	Libyan Investment Authority
LLIDF	Libyan Local Investment and Development Fund
LNA	Libyan National Army
LPA	Libyan Political Agreement
LTP	Long Term Portfolio
LYD	Libyan Dinar
MANPADS	Man Portable Air Defence System
MIC	Military Industrial Corporation
MMR	Man Made River

MNLA	Mouvement national pour la libération de l'Azawad
MUJAO	Mouvement pour l'unification et le jihad en Afrique de l'ouest
NGO	Non-governmental organization
NOC	National Oil Corporation
NSG	National Salvation Government
NTC	National Transitional Council
OHCHR	Office of the High Commissioner for Human Rights
OPCW	Organization for the Prohibition of Chemical Weapons
Panel	Panel of Experts
PC	Presidency Council
PFG	Petroleum Facilities Guard
PFLL	Popular Front for the Liberation of Libya
RFC	Rassemblement des forces pour le changement
RPG	Rocket Propelled Grenade
SDF	Special Deterrence Force
SDN	Specially Designated National
SLA	Sudan Liberation Army
SLA/MM	Sudan Liberation Army/Minni Minawi
SLA/Unity	Sudan Liberation Army/Unity
SRSG	Special Representative of the Secretary-General
SWIFT	Society for Worldwide Interbank Financial Telecommunication
TRB	Tripoli Revolutionaries Brigade
UAE	United Arab Emirates
UNDSS	United Nations Department for Safety and Security
UNHCR	United Nations High Commissioner for Refugees
UNMAS	United Nations Mine Action Service
UNSMIL	United Nations Support Mission in Libya
USD	United States Dollars

Annex 2 Overview of the evolution of the Libyan sanctions regime

1. By resolution 1970 (2011), the Security Council expressed grave concern at the situation in Libya, condemned the violence and use of force against civilians and deplored the gross and systematic violation of human rights. Within that context, the Council imposed specific measures on Libya, under Chapter VII of the Charter of the United Nations, including the arms embargo, which relates to arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned, in addition to the provision of armed mercenary personnel. The arms embargo covers both arms entering and leaving Libya. The Council also imposed a travel ban and/or an asset freeze on the individuals listed in the resolution. Furthermore, the Council decided that the travel ban and the asset freeze were to apply to the individuals and entities designated by the Committee established pursuant to resolution 1970 (2011) concerning Libya involved in or complicit in ordering, controlling or otherwise directing the commission of serious human rights abuses against persons in Libya.

2. By resolution 1973 (2011), the Security Council strengthened the enforcement of the arms embargo and expanded the scope of the asset freeze to include the exercise of vigilance when doing business with Libyan entities, if States had information that provided reasonable grounds to believe that such business could contribute to violence and use of force against civilians. Additional individuals subject to the travel ban and asset freeze were listed in the resolution, in addition to five entities subject to the freeze. The Council decided that both measures were to apply also to individuals and entities determined to have violated the provisions of the previous resolution, in particular the provisions concerning the arms embargo. The resolution also included the authorization to protect civilians and civilian populated areas under threat of attack in Libya. In addition, it included a no-fly zone in the airspace of Libya and a ban on flights of Libyan aircraft.

3. On 24 June 2011, the Committee designated two additional individuals and one additional entity subject to the targeted measures. By resolution 2009 (2011), the Security Council introduced additional exceptions to the arms embargo and removed two listed entities subject to the asset freeze, while allowing the four remaining listed entities to be subjected to a partial asset freeze. It also lifted the ban on flights of Libyan aircraft.

4. By resolution 2016 (2011), the Security Council terminated the authorization related to the protection of civilians and the no-fly zone. On 16 December 2011, the Committee removed the names of two entities previously subject to the asset freeze.

5. In resolution 2040 (2012), the Council directed the Committee, in consultation with the Libyan authorities, to review continuously the remaining measures with regard to the two listed entities – the Libyan Investment Authority and the Libyan Africa Investment Portfolio – and decided that the Committee was, in consultation with the Libyan authorities, to lift the designation of those entities as soon as practical.

6. In resolution 2095 (2013), the Council further eased the arms embargo in relation to Libya concerning non-lethal military equipment.

7. By resolution 2144 (2014), the Council stressed that Member States notifying to the Committee the supply, sale or transfer to Libya of arms and related materiel, including related ammunition and spare parts, should ensure such notifications contain all relevant information, and should not be resold to, transferred to, or made available for use by parties other than the designated end user.

8. By resolution 2146 (2014), the Council decided to impose measures, on vessels to be designated by the Committee, in relation to attempts to illicitly export crude oil from Libya and authorized Member States to undertake inspections of such designated vessels.

9. By resolution 2174 (2014), the Council introduced additional designation criteria and requested the Panel to provide information on individuals or entities engaging or providing support for acts that threaten the peace, stability of security of Libya or obstructing the completion of the political transition. The resolution strengthened the arms embargo, by requiring prior approval of the Committee for the supply, sale or transfer of arms and related materiel, including related ammunition and spare parts, to Libya intended for security or disarmament assistance to the Libyan government, with the exception of non-lethal military equipment intended solely for the Libyan government. The Council also renewed its call upon Member States to undertake inspections related to the arms embargo, and required them to report on such inspections.

10. By resolution 2213 (2015), the Council extended the authorizations and measures in relation to attempts to illicitly export crude oil from Libya until 31 March 2016. The resolution further elaborated the designation criteria listed in resolution 2174 (2014).

11. By resolution 2214 (2015), the Council called on the 1970 Committee on Libya to consider expeditiously arms embargo exemption requests by the Libyan government for the use by its official armed forces to combat specific terrorist groups named in that resolution.

12. By resolution 2259 (2015), the Council confirmed that individuals and entities providing support for acts that threaten the peace, stability or security of Libya or that obstruct or undermine the successful completion of the political transition must be held accountable, and recalled the travel ban and assets freeze in this regard.

13. By resolution 2278 (2016) the Council extended the authorizations and measures in relation to attempts to illicitly export crude oil, while calling on the Libyan Government of National Accord (GNA) to improve oversight and control over its oil sector, financial institutions and security forces.

14. By resolution 2292 (2016), the Council authorized, for a period of twelve months, inspections on the high seas off the coast of Libya, of vessels that are believed to be carrying arms or related materiel to or from Libya, in violation of the arms embargo.

15. By resolution 2357 (2017), the Council extended the authorizations set out in resolution 2292 (2017) for a further 12 months.

16. By resolution 2362 (2017), the Council extended until 15 November 2018 the authorizations provided by and the measures imposed by resolution 2146 (2014), in relation to attempts to illicitly export crude oil from Libya. These measures were also applied with respect to vessels loading, transporting, or discharging petroleum, including crude oil and refined petroleum products, illicitly exported or attempted to be exported from Libya.

17. By resolution 2420 (2018), the Council further extends the authorizations, as set out in resolution 2292 (2016) and extended by resolution 2357 (2017), for a further 12 months from the date of adoption of the resolution.

18. To date the Committee has published four implementation assistance notices which are available on the Committee's website.[1]

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[1] Available under http://www.un.org/sc/committees/1970/notices.shtml.

Annex 3 Mandate and appointment

19. In resolution 2095 (2013) the Council encouraged the Panel, while mindful of the responsibility of the United Nations Support Mission in Libya (UNSMIL), to assist the Libyan authorities to counter illicit proliferation of all arms and related materiel of all types, in particular heavy and light weapons, small arms and man-portable surface-to-air missiles (MANPADS), and to secure and manage Libya's borders, to continue to expedite its investigations regarding sanctions non-compliance, including illicit transfers of arms and related materiel to and from Libya, and the assets of individuals subject to the assets freeze established in resolutions 1970 (2011) and 1973 (2011) and modified in resolution 2009 (2011), 2040 (2012) and 2095 (2013) and encouraged UNSMIL and the Libyan government to support Panel investigatory work inside Libya, including by sharing information, facilitating transport and granting access to weapons storage facilities, as appropriate.

20. In resolution 2146 (2014), the Council expanded the Panel's mandate to the measures imposed by that resolution and directed the Panel to monitor the implementation of these measures. These measures related to the prevention of illicit oil exports.

21. In resolution 2174 (2014) the Council requested the Panel to provide information on individuals and entities who meet additional designation criteria related to acts that threaten the peace, stability or security of Libya, or obstruct or undermine the successful completion of its political transition.

22. By resolution 2213 (2015), the Council extended the mandate of the Panel of Experts established pursuant to resolution 1973 (2011) for a period of thirteen months, to carry out the following tasks: to assist the Committee in carrying out its mandate as specified in paragraph 24 of resolution 1970 (2011); to gather, examine and analyse information from States, relevant United Nations bodies, regional organizations and other interested parties regarding the implementation of the measures decided upon in resolution 1970 (2011), 1973 (2011) and modified in resolutions 2009 (2011), 2040 (2012), 2095 (2013), 2144 (2014), 2146 (2014), 2174 (2014) and 2213 (2015) in particular incidents of non-compliance; to make recommendations on actions that the Council, the Committee, the Libyan government or other States may consider to improve implementation of the relevant measures; and to provide to the Council an interim report on its work no later than 180 days after its appointment and a final report no later than 15 March 2016 with its findings and recommendations.

23. Resolution 2278 (2016) extended until 31 July 2017 the authorisations provided by and measures imposed by resolution 2146 (2014) for the prevention of illicit oil exports. It further extended the Panel's mandate until 31 July 2017.

24. In Resolution 2362 (2017), the authorisations provided by and measures imposed by resolution 2146 (2014) were extended until 5 November 2018. It was further decided that the measures would apply to both crude oil and refined petroleum products. This resolution also renewed the mandate of the Panel of Experts to 15 November 2018. The Panel's mandated tasks would remain as defined in resolution 2213 (2015) and would also apply to the measures updated in this resolution. The Panel is required to provide an interim report on its work no later than 28 February 2018 and a final report no later than 15 September 2018 with its findings and recommendations.

Annex 4 Institutions/individuals consulted

List of institutions/individuals consulted

This list excludes certain individuals, organisations or entities with whom the Panel met, in order to maintain the confidentiality of the source(s) and not to impede the ongoing investigations of the Panel.

Belgium	
Organizations:	European Union External Action Service, World Customs Organisation, NGOs
Cyprus	
Private entities	Various
Egypt	
Private entities	Various
France	
Government	Ministry of Foreign Affairs, Ministry of Defence, Ministry of Economy and Finance, Presidency
Greece	
Private entities	Various
Italy	
Government:	Ministry of Defence, Ministry of Finance, Ministry of Foreign Affairs, Ministry of Interior, Ministry of Justice, Bank of Italy, Ministry of Transport
Libya	
Government	Presidency Council, National Oil Corporation, Chief of Staff, Libyan Investment Authority, Port Authority, Coast Guards
Sudan	
Government	Ministry of Defence, Ministry of Interior, Ministry of Foreign Affairs
Tunisia	
Organizations	EUBAM, UNSMIL, World Bank, IOM, UNODC, UNMAS, Amnesty International, International Crisis Group
Embassies	EU Delegation, France, Turkey, UK, USA
Private entities	Various
Turkey	
Private entities	Various
United Kingdom	
Government:	Foreign & Commonwealth Office, HM Treasury,
Organizations:	Libyan Investment Authority
USA	
	United Nations and Permanent Missions

Annex 5 Outgoing correspondence

Panel official outgoing correspondence to Member States since the drafting of its previous report (S/2017/128)

OC no.	Addressee	About	Date
2278 mandate			
47	Turkey	Arms Embargo	7-Apr-17
48	Czech Republic	Arms Embargo	7-Apr-17
49	Malta	Arms Embargo	3-May-17
50	SC President	Final Report	4-May-17
51	Italy	Arms Embargo	4-May-17
52	EUNAVFOR cc EU Delegation in New York	Arms Embargo	1-Jun-17
53	Chair of the Committee	Report follow up	8-Jun-17
54	China	Arms Embargo	8-Jun-17
55	Chair of the Committee	Report follow up	21-Jun-17
56	Chair of the Committee	Oil Measures	11-Jul-17
57	Chair of the Committee	Oil Measures	17-Jul-17
2362 mandate			
58	World Customs Organization	Arms Embargo	14-Aug-17
59	Libya	Visa	14-Aug-17
60	Tunisia	Visa	16-Aug-17
61	Chair of the Committee	Oil Measures	23-Aug-17
62	Chair of the Committee	Oil Measures	28-Aug-17
63	Sudan	Visit	29-Aug-17
64	Qatar	Arms Embargo	1-Sep-17
65	Turkey	Arms Embargo	1-Sep-17
66	France	Arms Embargo and Assets Freeze	5-Sep-17
67	Egypt	Visit	13-Sep-17
68	Chad	Visit	13-Sep-17
69	Sudan	Visit	13-Sep-17

OC no.	Addressee	About	Date
70	Djibouti	Oil Measures	15-Sep-17
71	Saint Vincent and the Grenadines	Oil Measures	15-Sep-17
72	Tanzania	Oil Measures	15-Sep-17
73	Spain	Visit	22-Sep-17
74	Italy	Visit	25-Sep-17
75	France	Visit	25-Sep-17
76	Turkey	Arms Embargo	27-Sep-17
77	IOMAX cc USA	Arms Embargo	2-Oct-17
78	Chair of the Committee	Oil Measures	3-Oct-17
79	Lebanon	Oil Measures	4-Oct-17
80	RF	Arms Embargo	11-Oct-17
81	China	Arms Embargo	11-Oct-17
82	Bulgaria	Arms Embargo	11-Oct-17
83	Tanzania	Oil Measures	11-Oct-17
84	Djibouti	Oil Measures	11-Oct-17
85	Saint Vincent and the Grenadines	Oil Measures	11-Oct-17
86	UAE	Arms Embargo	12-Oct-17
87	Egypt	Oil Measures	18-Oct-17
88	Night Owl Optics_cc US	Arms Embargo	18-Oct-17
89	Belgium	Arms Embargo	18-Oct-17
90	Turkey	Arms Embargo	18-Oct-17
91	Malta	Oil Measures	18-Oct-17
92	Chair of the Committee	Oil Measures	18-Oct-17
93	Comoros	Oil Measures	19-Oct-17
94	Turkey	Oil Measures	26-Oct-17
95	Uvas-Trans Ltd cc Ukraine	Oil Measures	26-Oct-17
96	Libya	Oil Measures	30-Oct-17
97	Spain	Visit	30-Oct-17

OC no.	Addressee	About	Date
98	Niger	Armed Groups	2-Nov-17
99	Chad	Armed Groups	2-Nov-17
100	United Maritime Services Ltd. cc UK	Oil Measures	2-Nov-17
101	Tanzania	Oil Measures	2-Nov-17
102	Tunisia	Oil Measures	2-Nov-17
103	International Atomic Energy Agency	Arms embargo	2-Nov-17
104	Limbado Finance cc UK	Oil Measures	7-Nov-17
105	Volont S&T cc Marshall Islands	Oil Measures	7-Nov-17
106	Panama	Oil Measures	7-Nov-17
107	China	Arms Embargo	7-Nov-17
108	Alfamarine cc Lebanon	Oil Measures	7-Nov-17
109	Morgan cc Lebanon	Oil Measures	7-Nov-17
110	Netherlands	Meeting Request	8-Nov-17
111	Egypt	Arms Embargo	9-Nov-17
112	LIA	Asset Freeze	11-Nov-17
113	Turkey	Oil Measures	14-Nov-17
114	China	Arms Embargo	14-Nov-17
115	Alfamarine Shipping cc Lebanon	Oil Measures	14-Nov-17
116	Volont S&T	Oil Measures	14-Nov-17
117	Chair of the Committee	Oil Measures	15-Nov-17
118	Libya	Oil Measures	17-Nov-17
119	Evalend cc Greece	Oil Measures	17-Nov-17
120	Lebanon	Oil Measures	22-Nov-17
121	Netherlands	Asset Freeze	24-Nov-17
122	FM Capital	Asset Freeze	18-Nov-17
123	USA	Arms Embargo	27-Nov-17
124	Tanzania	Asset Freeze	27-Nov-17

OC no.	Addressee	About	Date
125	Oman	Oil Measures	8-Dec-17
126	Chair of the Committee	Oil Measures	13-Dec-17
127	Yemen	Oil Measures	14-Dec-17
128	Spain	Arms Embargo	15-Dec-17
1	EU	Asset Freeze	2-Jan-18
2	Egypt	Oil Measures	2-Jan-18
3	Netherlands	Asset Freeze	4-Jan-18
4	UAE	Arms Embargo	5-Jan-18
5	LIA cc Libya	Asset Freeze	5-Jan-18
6	Italy	Armed Groups	4-Jan-18
7	Swedbank cc Sweden	Asset Freeze	8-Jan-18
8	Panama	Oil Measures	8-Jan-18
9	UAE	Oil Measures	8-Jan-18
10	Djibouti	Oil Measures	8-Jan-18
11	ABC Bank cc Bahrain	Asset Freeze	10-Jan-18
12	CBL cc Libya	Asset Freeze	11-Jan-18
13	EU	Asset Freeze	11-Jan-18
14	Italy	Asset Freeze	15-Jan-18
15	Switzerland	Asset Freeze	15-Jan-18
16	UAE	Asset Freeze	15-Jan-18
17	US	Asset Freeze	15-Jan-18
18	Greece	Arms Embargo	15-Jan-18
19	President of the Security Council	Interim Report	16-Jan-18
20	Turkey	Visit	17-Jan-18
21	Niger	Visit	17-Jan-18
22	Chair of 1970 Committee	Oil Measures	17-Jan-18
23	Palau	Oil Measures	17-Jan-18
24	Syria	Oil Measures	17-Jan-18
25	Panama	Oil Measures	23-Jan-18

OC no.	Addressee	About	Date
26	UK	Asset Freeze	24-Jan-18
27	USA	Meeting Request	19-Jan-18
28	Tunisia	Asset Freeze	24-Jan-18
29	Jordan	Meeting Request	19-Jan-18
30	Germany	Arms Embargo	23-Jan-18
31	Chair of 1970 Committee	Asset Freeze	25-Jan-18
32	Glow Shipping Lines LLC cc UAE	Asset Freeze	25-Jan-18
33	Mr. Trabish, Attorney at Law	Oil Measures	25-Jan-18
34	Libya	Oil Measures	26-Jan-18
35	MIDROC cc Ethiopia	Oil Measures	31-Jan-18
36	Palau	Oil Measures	31-Jan-18
37	Panama	Arms Embargo	2-Feb-18
38	Syria	Oil Measures	5-Feb-18
39	Liechtenstein	Oil Measures	5-Feb-18
40	Lebanon	Oil Measures	5-Feb-18
41	Italy	Arms Embargo	13-Feb-18
42	Chad	Arms Embargo	13-Feb-18
43	IMO	Arms Embargo	15-Feb-18
44	Wintershall AG cc Germany	Visit	15-Feb-18
45	UAE	Visit	15-Feb-18
46	Djibouti	Oil Measures	21-Feb-18
47	Turkey	Oil Measures	22-Feb-18
48	Tunisia	Oil Measures	26-Feb-18
49	Switzerland	Visit	5-Mar-18
50	Chair of the Committee 1970	Interim Report in Media	7-Mar-18
51	UAE	Asset Freeze	12-Mar-18
52	United Power Marine cc UAE	Oil Measures	15-Mar-18
53	Palau	Oil Measures	15-Mar-18

OC no.	Addressee	About	Date
54	Qatar	Visit request	16-Mar-18
55	India	Oil Measures	16-Mar-18
56	Switzerland	Asset Freeze	20-Mar-18
57	UAE	Visit	20-Mar-18
58	Chair of the Committee 1970	Oil Measures	21-Mar-18
59	Jordan	Asset Freeze	26-Mar-18
60	Germany	Asset Freeze	26-Mar-18
61	Switzerland	Asset Freeze	26-Mar-18
62	Ethiopia	Visit request	26-Mar-18
63	African Union	Visit request	26-Mar-18
64	MIDROC cc Ethiopia	Arms Embargo	29-Mar-18
65	UK	Asset Freeze	29-Mar-18
66	Ethiopia	Arms Embargo	29-Mar-18
67	Saint Vincent and the Grenadines	Oil Measures	2-Apr-18
67*	Libya (Attorney General)	Information request	4-Apr-18
68	Ireland	Asset Freeze	2-Apr-18
69	India	Oil Measures	4-Apr-18
70	Egypt	Visit request	4-Apr-18
71	Libya	Arms Embargo	6-Apr-18
72	Italy	Arms Embargo	6-Apr-18
73	Ukraine	Arms Embargo	6-Apr-18
74	Lebanon	Arms Embargo	6-Apr-18
75	Tunisia	Arms Embargo	6-Apr-18
76	Luxembourg	Asset Freeze	9-Apr-18
77	Belgium	Asset Freeze	9-Apr-18
78	Libya	Visit request	13-Apr-18
79	Chair of the Committee 1970	Oil Measures	16-Apr-18
80	Palau	Oil Measures	16-Apr-18
81	India	Oil Measures	16-Apr-18

OC no.	Addressee	About	Date
82	UAE	Oil Measures	16-Apr-18
83	United Power Marine cc UAE	Reminder	16-Apr-18
84	France	Visit request	17-Apr-18
85	Chad	Visit Request	17-Apr-18
86	Chair of the Committee 1970	Oil Measures	20-Apr-18
87	Germany	Asset Freeze	24-Apr-18
88	Netherlands	Asset Freeze	24-Apr-18
89	US	Asset Freeze	24-Apr-18
90	Belgium	Asset Freeze	24-Apr-18
91	Turkey	Arms Embargo	15-May-18
92	Greece	Arms Embargo	10-May-18
93	Tanzania	Arms Embargo	7-May-18
94	Libya	Visit	7-May-18
95	Tunisia	Visit	14-May-18
96	France	Arms Embargo	14-May-18
97	Carter Ruck-Solicitors	Armed Groups	14-May-18
98	PIAM_cc_Netherlands	Asset Freeze	18-May-18
99	Marshall Islands	Oil Measures	22-May-18
100	Al Khair Shipping Management cc UAE	Oil Measures	22-May-18
101	ABC Bank cc Bahrain	Asset Freeze	24-May-18
102	HSBC Bank	Asset Freeze	24-May-18
103	Greece	Arms Embargo	24-May-18
104	Qatar	Visit	25-May-18
105	Chair of the Committee 1971	Oil Measures	25-May-18
106	Italy	Arms Embargo	31-May-18
107	Turkey	Armed Groups	31-May-18
108	Sudan	Armed Groups	31-May-18
109	Ethiopia	Armed Groups	31-May-18

OC no.	Addressee	About	Date
110	Eritrea	Armed Groups	31-May-18
111	Nigeria	Armed Groups	5-Jun-18
112	UAE	Arms Embargo	5-Jun-18
113	UAE	Asset Freeze	6-Jun-18
114	Ireland	Asset Freeze	6-Jun-18
115	Luxembourg	Asset Freeze	6-Jun-18
116	Wilton Resources Inc cc Canada	Oil Measures	6-Jun-18
117	Carter Ruck-Solicitors	Armed Groups	6-Jun-18
118	Malta	Arms Embargo	8-Jun-18
119	Jordan	Oil Measures	8-Jun-18
120	SGS cc Switzerland	Asset Freeze	12-Jun-18
121	Libya	Asset Freeze	14-Jun-18
122	Alubaf International Bank/Tunis cc Tunisia	Asset Freeze	14-Jun-18
123	Libya	Visit	14-Jun-18
124	Libya	Armed Groups	18-Jun-18
125	Netherlands	Arms Embargo	19-Jun-18
126	Moldova	Arms Embargo	19-Jun-18
127	USA	Arms Embargo	19-Jun-18
128	Palladyne International Asset Management B.V. cc Netherlands	Asset Freeze	22-Jun-18
129	Tunisia	Armed Groups	25-Jun-18
130	CBL cc Libya	Asset Freeze	26-Jun-18
131	Libya (Attorney General)	Armed Groups	26-Jun-18
132	Carter Ruck-Solicitors	Armed Groups	29-Jun-18
133	Malta	Asset Freeze	2-Jul-18
134	Chair of the Committee 1970	Recommendations	3-Jul-18

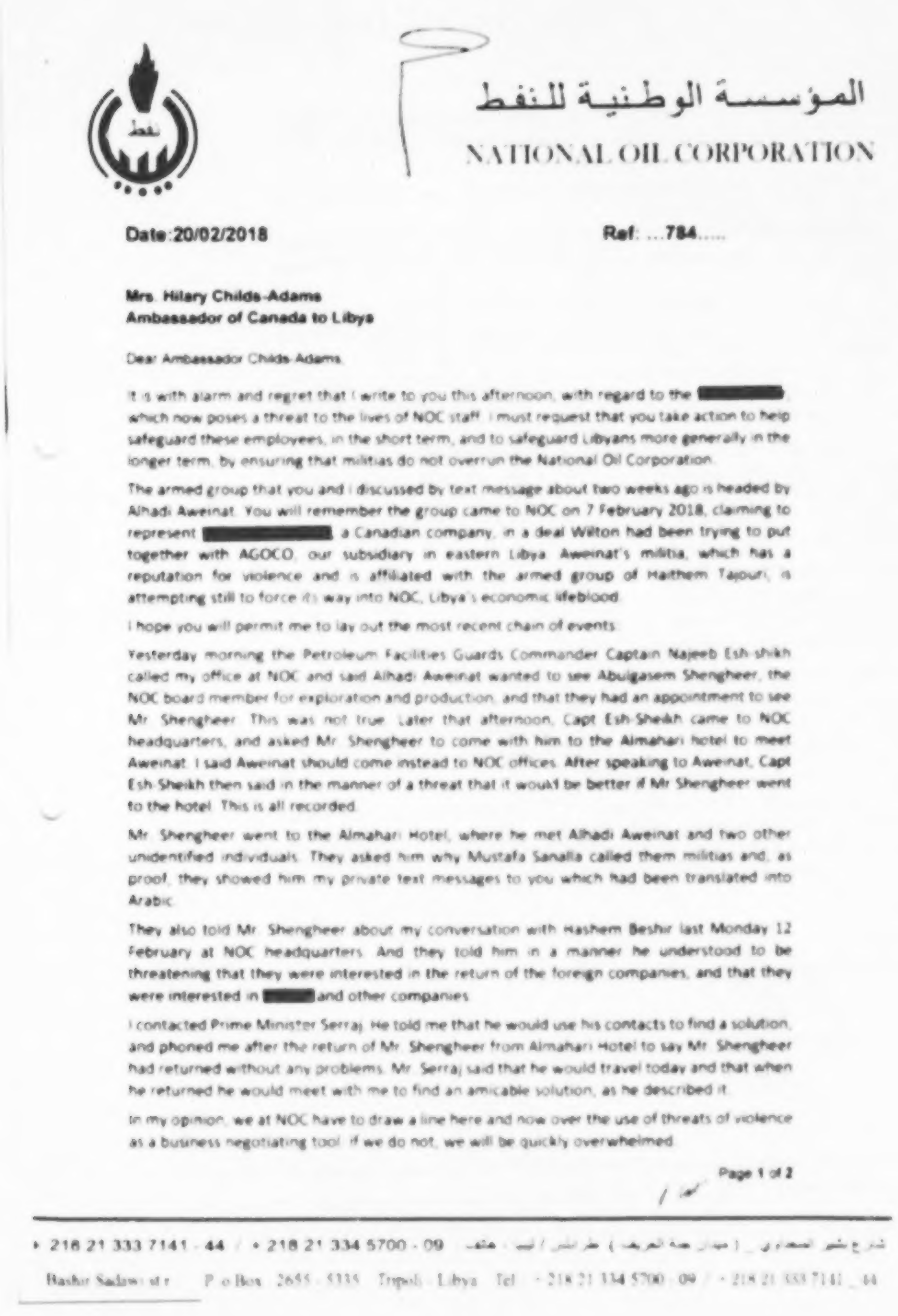
Annex 6 Responsiveness table

Table showing level of responsiveness by Member States or Organizations to requests for information and/or visit from the Panel from 7 April 2017 until 15 July 2018

Member State or Organization	Number of letters sent	Requested info fully supplied	Info partially supplied	No answer / information not supplied	Request for visit
Belgium	3	3			Granted
Bulgaria	1	1			
Chad	4	2		2	Granted
China	3		3		
Comoros	1			1	
Czech Republic	1	1			
Djibouti	4	1	1	2	
Egypt	4	3	1	1	Granted
Eritrea	1	1			
Ethiopia	3	1		2	No response
France	3	3			Granted
Germany	3	3			
Greece	3	3			Granted
India	2	2			
Ireland	2			2	
Italy	7	6	1		Granted
Jordan	3	2		1	
Lebanon	4	2		2	
Libya	9	4		5	Granted
Liechtenstein	1	1			
Luxembourg	2			2	No response
Malta	5	2	2	1 (recent)	
Marshall Islands	1			1	
Netherlands	4	2	1	1	Granted
Niger	2	1		1	Granted
Nigeria	1			1	

Oman	1			1	
Palau	3	3			
Panama	4			4	
Qatar	3	2		1	Granted
Russian Federation	1	1			
Spain	3	3			Granted
St Vincent and Grenadines	3			3	
Sudan	3	2		1	Granted
Switzerland	5	4		1 (recent)	Granted
Syria	2			2	
Tanzania	5	2		3	
Tunisia	7	1	3	3	Granted
Turkey	9	4	3	2	Granted
Ukraine	1	1			
United Arab Emirates	10	2		8	Granted
United Kingdom	2	1	1		Granted
United States	4	2		2	Granted
Yemen	1			1	
African Union	1			1	No response
EU	2	2			Granted
EU NAVFOR	1	1			Granted
IAEA	1			1	
IMO	1	1			Granted
World Customs Organization	1	1			Granted

Annex 7 Letter addressed by the Chairman of the National Oil Corporation to the Ambassador of Canada to Libya



المؤسسة الوطنية للنفط
NATIONAL OIL CORPORATION

Date:20/02/2018 **Ref: ...784.....**

Mrs. Hilary Childs-Adams
Ambassador of Canada to Libya

Dear Ambassador Childs-Adams,

It is with alarm and regret that I write to you this afternoon, with regard to the [redacted], which now poses a threat to the lives of NOC staff. I must request that you take action to help safeguard these employees, in the short term, and to safeguard Libyans more generally in the longer term, by ensuring that militias do not overrun the National Oil Corporation.

The armed group that you and I discussed by text message about two weeks ago is headed by Alhadi Aweinat. You will remember the group came to NOC on 7 February 2018, claiming to represent [redacted], a Canadian company, in a deal Wilton had been trying to put together with AGOCO, our subsidiary in eastern Libya. Aweinat's militia, which has a reputation for violence and is affiliated with the armed group of Haithem Tajouri, is attempting still to force its way into NOC, Libya's economic lifeblood.

I hope you will permit me to lay out the most recent chain of events:

Yesterday morning the Petroleum Facilities Guards Commander Captain Najeeb Esh-shikh called my office at NOC and said Alhadi Aweinat wanted to see Abulgasem Shengheer, the NOC board member for exploration and production, and that they had an appointment to see Mr. Shengheer. This was not true. Later that afternoon, Capt Esh-Sheikh came to NOC headquarters, and asked Mr. Shengheer to come with him to the Almahari hotel to meet Aweinat. I said Aweinat should come instead to NOC offices. After speaking to Aweinat, Capt Esh-Sheikh then said in the manner of a threat that it would be better if Mr Shengheer went to the hotel. This is all recorded.

Mr. Shengheer went to the Almahari Hotel, where he met Alhadi Aweinat and two other unidentified individuals. They asked him why Mustafa Sanalla called them militias and, as proof, they showed him my private text messages to you which had been translated into Arabic.

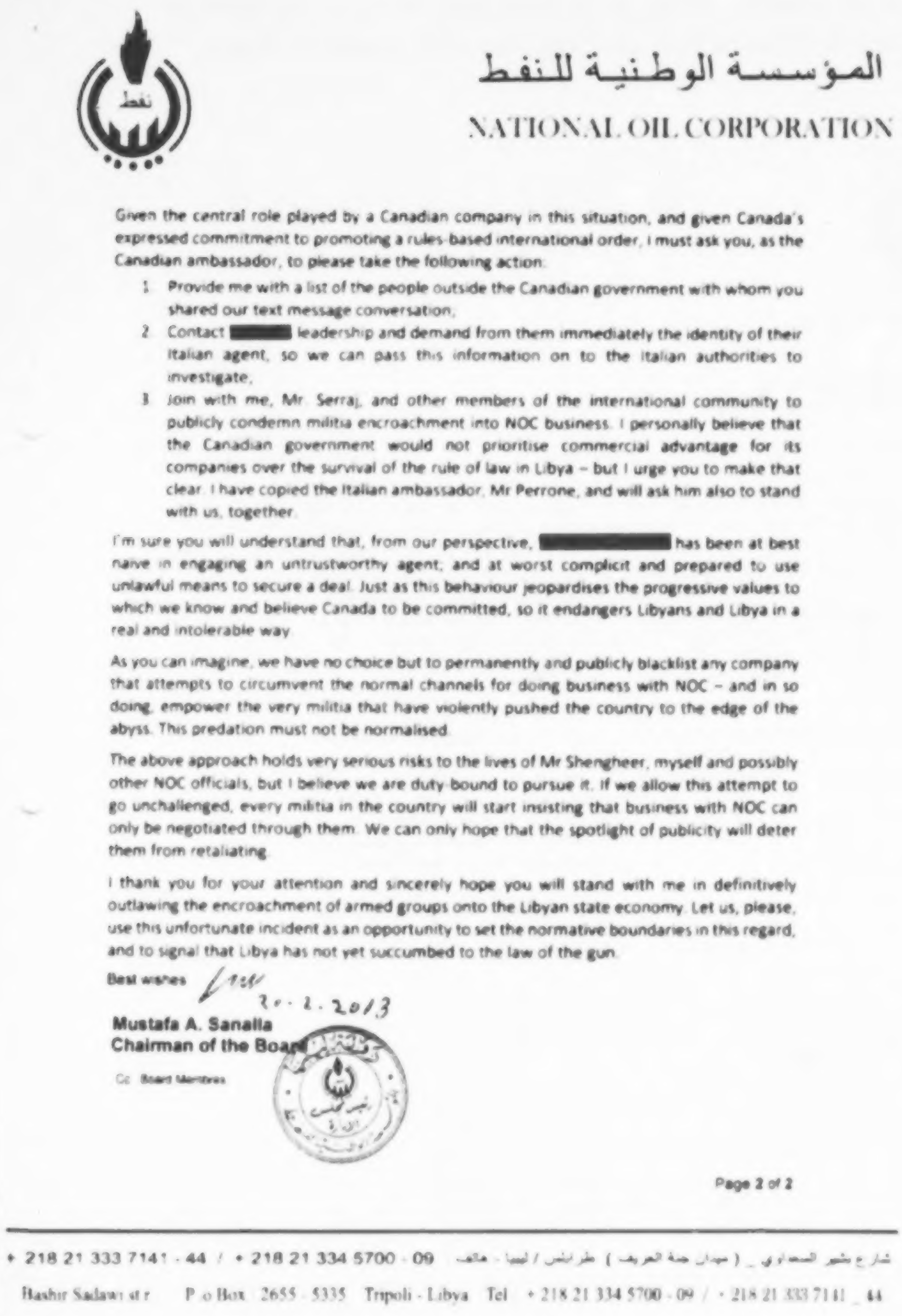
They also told Mr. Shengheer about my conversation with Hashem Beshir last Monday 12 February at NOC headquarters. And they told him in a manner he understood to be threatening that they were interested in the return of the foreign companies, and that they were interested in [redacted] and other companies.

I contacted Prime Minister Serraj. He told me that he would use his contacts to find a solution, and phoned me after the return of Mr. Shengheer from Almahari Hotel to say Mr. Shengheer had returned without any problems. Mr. Serraj said that he would travel today and that when he returned he would meet with me to find an amicable solution, as he described it.

In my opinion, we at NOC have to draw a line here and now over the use of threats of violence as a business negotiating tool. If we do not, we will be quickly overwhelmed.

Page 1 of 2

+ 218 21 333 7141 - 44 / + 218 21 334 5700 - 09 شارع بشير السعداوي _ (ميدان جمة الجريف) طرابلس / ليبيا - هاتف
Bashir Sadawi st r P. o Box 2655 - 5335 Tripoli - Libya Tel + 218 21 334 5700 - 09 / + 218 21 333 7141 _ 44



المؤسسة الوطنية للنفط
NATIONAL OIL CORPORATION

Given the central role played by a Canadian company in this situation, and given Canada's expressed commitment to promoting a rules-based international order, I must ask you, as the Canadian ambassador, to please take the following action:

1. Provide me with a list of the people outside the Canadian government with whom you shared our text message conversation;
2. Contact [redacted] leadership and demand from them immediately the identity of their Italian agent, so we can pass this information on to the Italian authorities to investigate;
3. Join with me, Mr. Serraj, and other members of the international community to publicly condemn militia encroachment into NOC business. I personally believe that the Canadian government would not prioritise commercial advantage for its companies over the survival of the rule of law in Libya – but I urge you to make that clear. I have copied the Italian ambassador, Mr Perrone, and will ask him also to stand with us, together.

I'm sure you will understand that, from our perspective, [redacted] has been at best naive in engaging an untrustworthy agent; and at worst complicit and prepared to use unlawful means to secure a deal. Just as this behaviour jeopardises the progressive values to which we know and believe Canada to be committed, so it endangers Libyans and Libya in a real and intolerable way.

As you can imagine, we have no choice but to permanently and publicly blacklist any company that attempts to circumvent the normal channels for doing business with NOC – and in so doing, empower the very militia that have violently pushed the country to the edge of the abyss. This predation must not be normalised.

The above approach holds very serious risks to the lives of Mr Shengheer, myself and possibly other NOC officials, but I believe we are duty-bound to pursue it. If we allow this attempt to go unchallenged, every militia in the country will start insisting that business with NOC can only be negotiated through them. We can only hope that the spotlight of publicity will deter them from retaliating.

I thank you for your attention and sincerely hope you will stand with me in definitively outlawing the encroachment of armed groups onto the Libyan state economy. Let us, please, use this unfortunate incident as an opportunity to set the normative boundaries in this regard, and to signal that Libya has not yet succumbed to the law of the gun.

Best wishes

20.2.2013

Mustafa A. Sanalla
Chairman of the Board

Cc: Board Members

Page 2 of 2

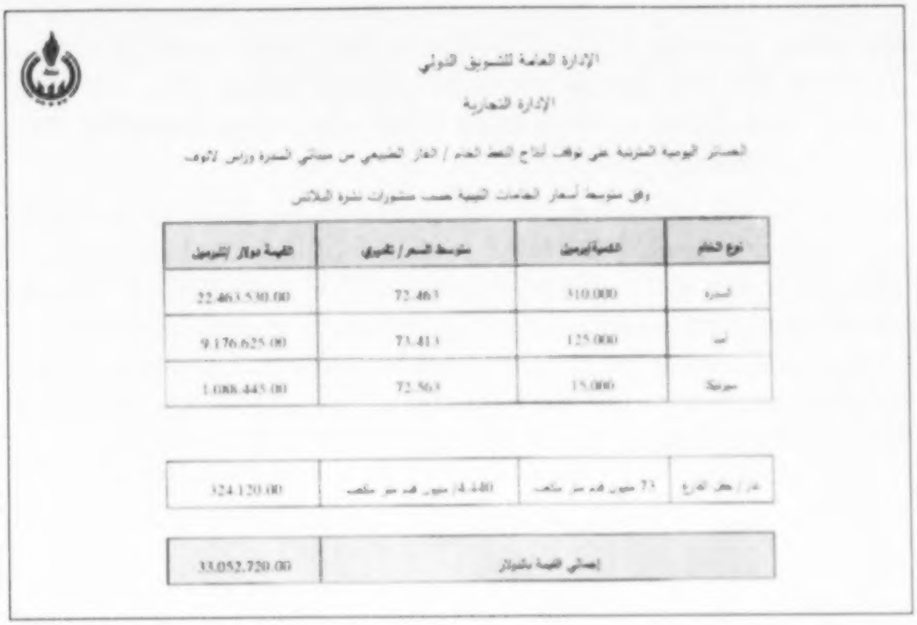
+ 218 21 333 7141 - 44 / + 218 21 334 5700 - 09 شارع بشير السعداوي _ (ميدان جمعة العريف) طرابلس / ليبيا - هاتف

Bashir Sadawi st r P.o Box 2655 - 5335 Tripoli - Libya Tel + 218 21 334 5700 - 09 / + 218 21 333 7141 _ 44

Source: Confidential

Annex 8 Role of Ibrahim Jadran in the Oil Crescent

Estimation of the value of daily production losses due to the attack by Ibrahim Jadran forces against oil terminals



الإدارة العامة للتسويق الدولي

الإدارة التجارية

الخسائر اليومية المترتبة على توقف إنتاج النفط الخام / الغاز الطبيعي من ميناءي السدرة وراس لانوف

وفق متوسط أسعار الخامات الليبية حسب منشورات نشرة البلاتس

نوع الخام	الكمية/برميل	متوسط السعر / الدولار	القيمة دولار / البرميل
السدرة	310.000	72.463	22.463.530.00
أمنة	125.000	73.413	9.176.625.00
سرتيكا	15.000	72.563	1.088.445.00

غاز / حقل الفارغ	73 مليون قدم مكعب	4.440 / مليون قدم مكعب	324.120.00

إجمالي القيمة بالدولار	33.052.720.00

Source: The National Oil Corporation

25. The table above also provides an estimate of daily losses due to the shutdown of oil terminals, following the 14 June 2018 led Ibrahim Jadran.

26. The NOC evaluated the cost of actions, from 2013 onward, that led to an interruption of oil production and exports, and also of destruction and deterioration of oil infrastructure to be more than USD 56 billion. The armed group of Ibrahim Jadran is responsible for most actions conducted in the Oil Crescent.

27. Here are some examples of costs incurred due to acts by the armed group led by Ibrahim Jadran:

- Cost for Waha Oil: USD 13,981,791,320; Acts: Shutting down of the Oil Crescent ports by PFGs (Central Region) on the pretext of the alleged metering system in Es-sidra Port affiliated to Waha Oil Company and the declaration of Force Majeure; Dates: 28/7/2013 – 26/08/2014.
- Cost for Waha Oil: USD 125,195,000; Acts: Attack by Ibrahim Jadran against oil terminals on 14 June 2018; Dates: 15/06/2018 – 20/06/2018.

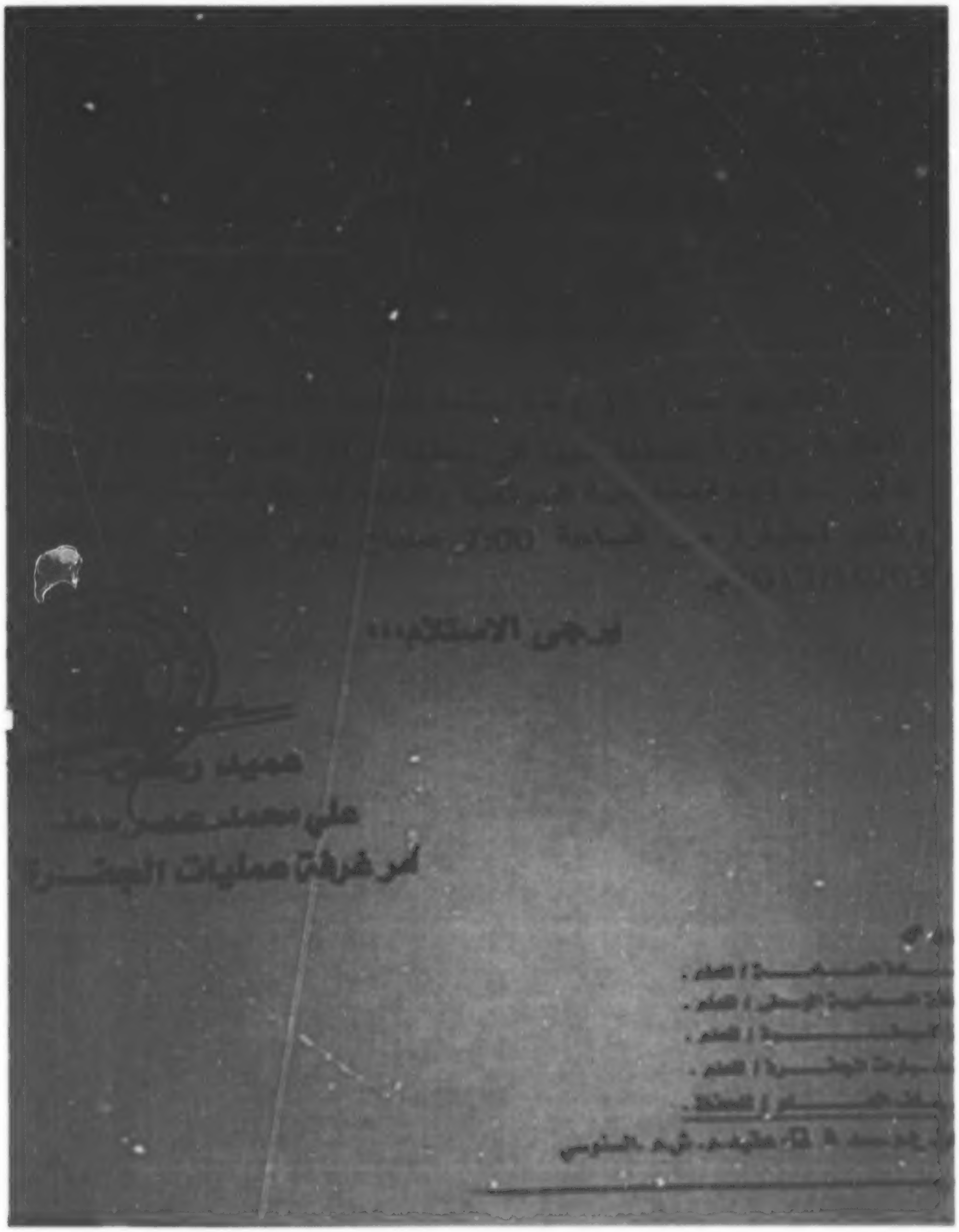
28. Jadran is under an arrest warrant by the Attorney General Office in Libya.

Annex 9 Role of Nasser Bin Jreid and his links with the Union des Forces de la Resistance (UFR)

29. Bin Jreid is a former Libyan army officer, who had operated Sudanese armed groups in Libya under the former regime. From 2014 onward, he started operating groups from Chad and Sudan on behalf of the LNA. More recently, according to several sources including from within the Chadian opposition movements, Bin Jreid split from the LNA to join the former regime camp. Following accusations made against him of having joined the attack led by Jadran against oil terminals, Bin Jreid, in a televised intervention, denied having split from the LNA.

30. Bin Jreid is also known for his ties with the UFR of Timrane Erdemi, previously allied with the LNA. According to Chadian opposition sources, he played a role in recruiting Chadians to join Al Mabrouk Hneish in his attempt to move on Tripoli in November 2017. In December 2017, several commanders of the UFR were killed during a meeting hosted by Bin Jreid in a farm near Sabha. The UFR, headed by Timran Erdemi and commanded by members of his clan in Libya, is composed of several ethnic groups, including the Wedaya and Arab Mahamids, who had successively fought alongside the LNA, the BDB and Jadran Forces.

Annex 10 Documents attesting integration of military elements of the Sudanese opposition into LNA units.



[illegible] الساعة 2200 [illegible]

يرجى الاستلام،،،

عميد ركن [illegible]

علي محمد [illegible]

آمر غرفة عمليات الجفـــرة

[illegible] / للعلم .

[illegible] / للعلم .

[illegible] / للعلم .

[illegible] الجفـــرة / للعلم .

[illegible] / للحفظ .

Source: Facebook

1. The following is an unofficial translation of the above document.

Translated from Arabic

Libya Arab Armed Forces
The General Command
Al-Jufra Operations Room

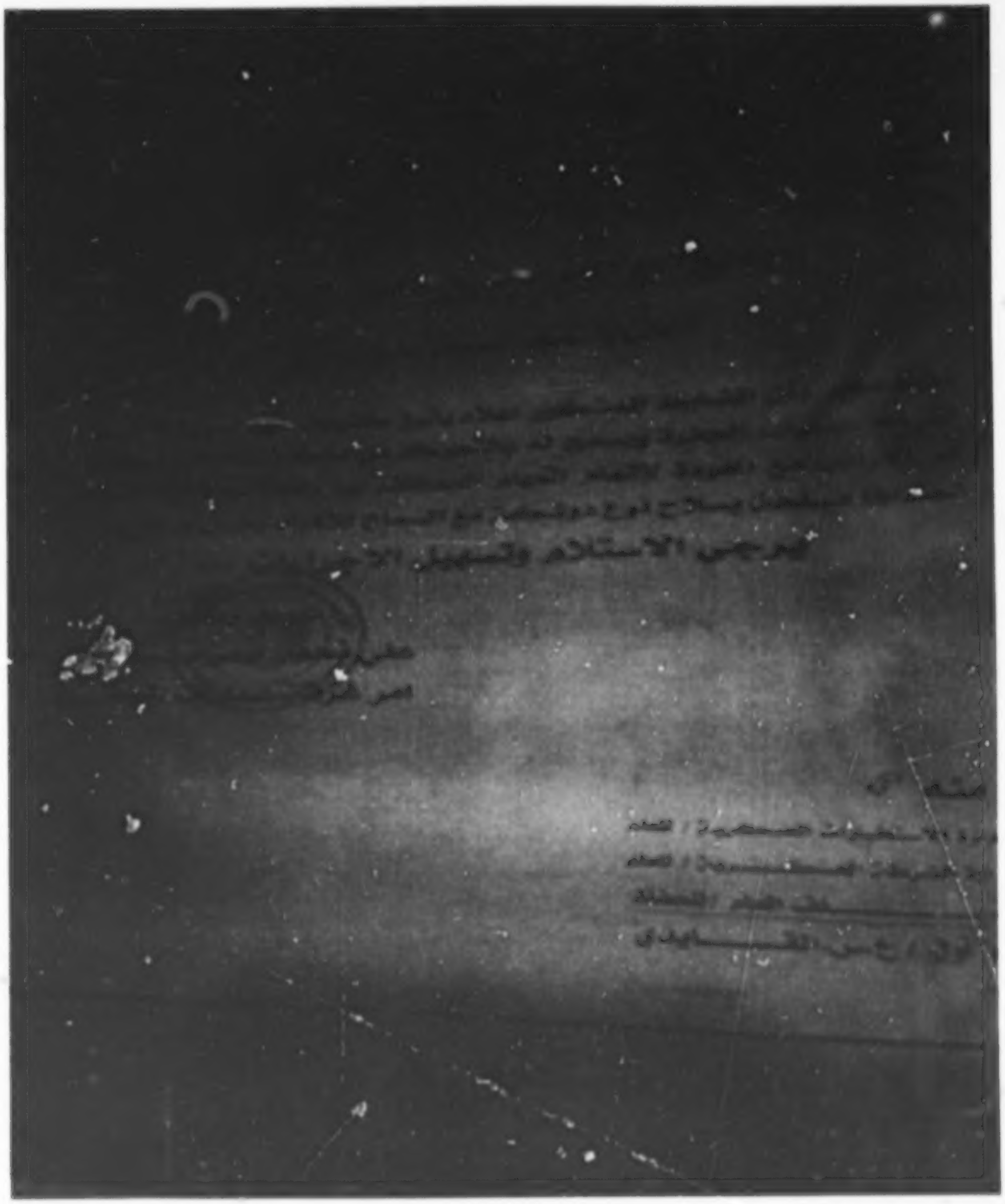
Date: 2.10.2017

Addressed to Sebha Military Zone, and all Checkpoints,

Laissez-passer for a convoy of 17 vehicles equipped with medium machine guns from al-Jufra to Um al-Araneb through Sebha under the command of Major General Jaber, one of the leaders of the Sudanese opposition, and affiliated with the Operations Room al-Jufra from Tuesday 03/10/2017 at 07:00.

Signed by Staff Brigadier Ali Mohammad Omar Saad, Commander of the al-Jufra Operations Room.

Source: Confidential



يرجى الاستلام والتسجيل

Source: Facebook

2. The following is an unofficial translation of the above document.

Translated from Arabic

Libya Arab Armed Forces
The General Command
Al-Jufra Operations Room

Date: ...2017

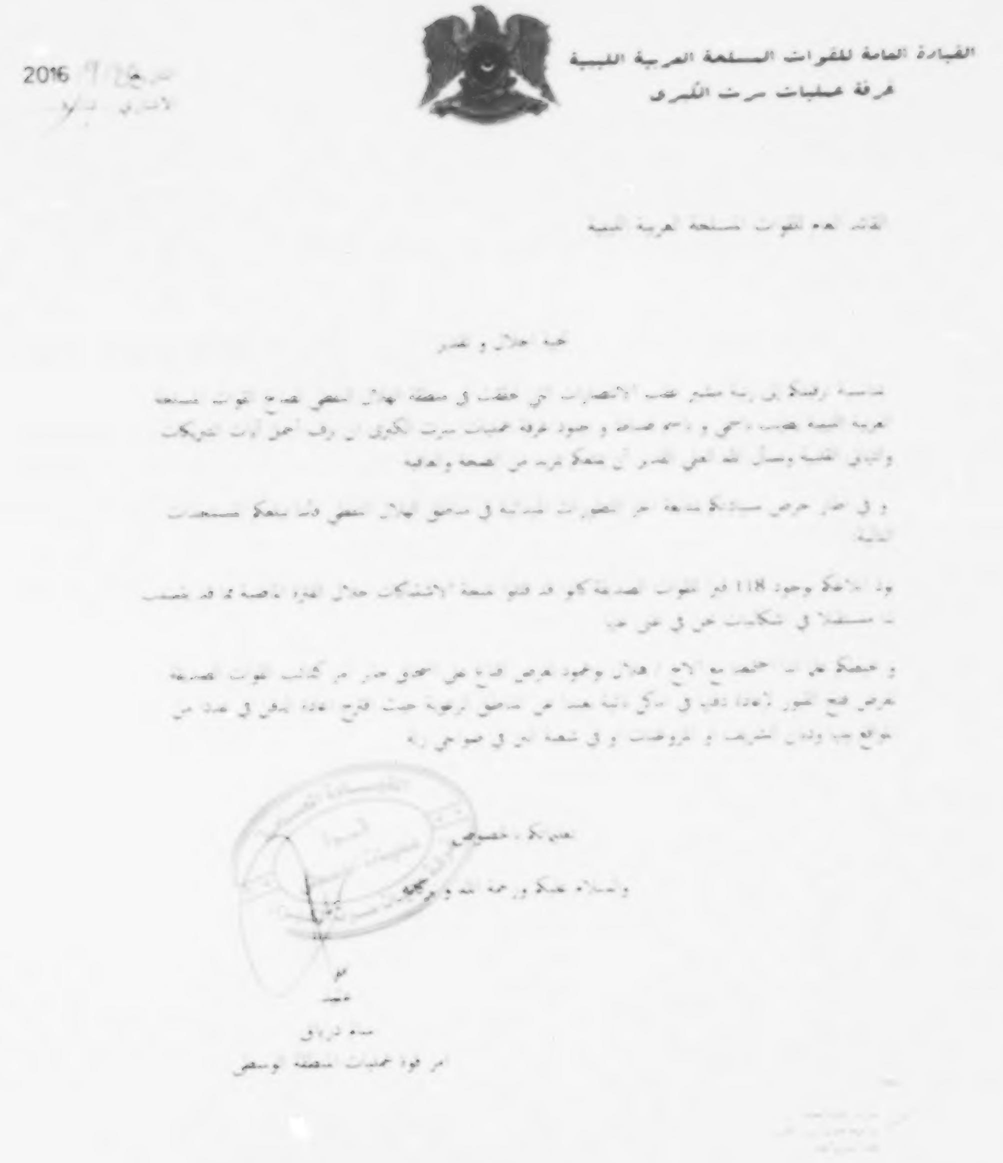
Addressed to all Checkpoints,

Captain Abd al-Majid Senine Ali

We inform that the Captain mentioned above is affiliated with the Zela Martyrs' Brigade of al-Jufra Operations Room and is authorized to freely move in the region between Zela and Um al-Araneb, accompanied by three vehicles.

Signed by Staff Brigadier Ali Mohammad Omar Saad, Commander of the al-Jufra Operations Room.

Source: Confidential



القيادة العامة للقوات المسلحة العربية الليبية
غرفة عمليات سرت الكبرى

التاريخ 26/ 9/ 2016

القائد العام للقوات المسلحة العربية الليبية

تحية إجلال و تقدير

Source: Confidential

3. The following is an unofficial translation of the above document.

Translated from Arabic

General Command of Libya Arab Armed Forces
Grand Sirte Operations Room

Date: 28.9.2017

Addressed to the General Commander of the Libyan Arab Armed Forces,

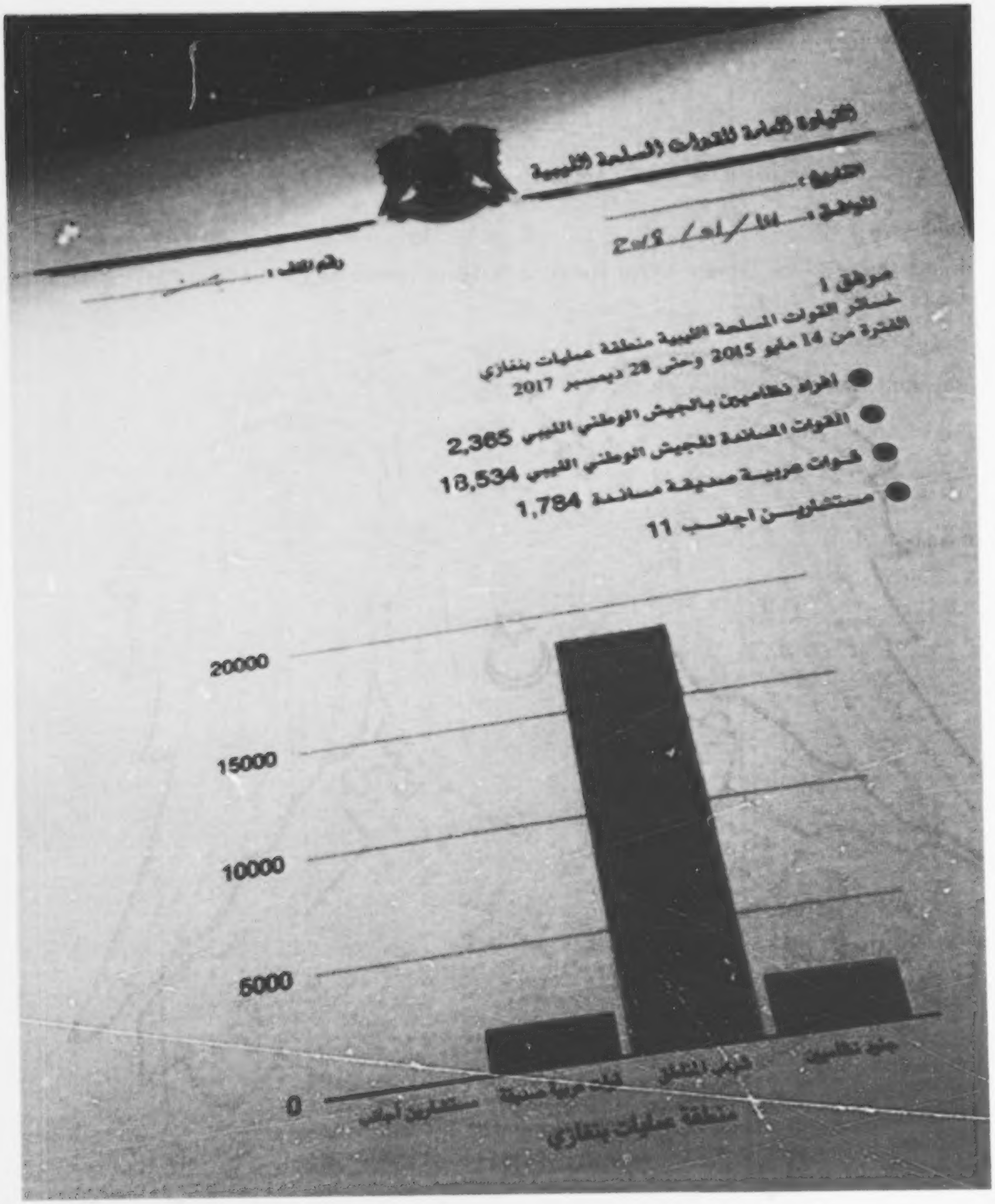
(…)

In order to update you on the latest field developments in the Oil Crescent, we provide with the following information:

The presence of 118 graves belonging to allied forces killed during the latest combats could be a source of tensions with local populations in the future. We met with Mr. Hilal Bu Amud to convince Isaac Jaber, commander of the allied forces, to transport the sepulchres from pastoral zones to remote areas. We proposed several locations (…).

Signed by Staff Brigadier Ali Mohammad Omar Saad, Commander of the al-Jufra Operations Room.

Source: Confidential



القيادة العامة للقوات المسلحة الليبية

الاشاري :

التاريخ : ١١/ ٠١/ ٢٠١٨

رقم الملف :

مرفق 1

خسائر القوات المسلحة الليبية منطقة عمليات بنغازي

الفترة من 14 مايو 2015 وحتى 28 ديسمبر 2017

- افراد نظاميون بالجيش الوطني الليبي 2,365
- القوات المساندة للجيش الوطني الليبي 18,534
- قوات عربية صديقة مساندة 1,784
- مستشارون اجانب 11

20000
15000
10000
5000
0
جنود نظاميين
شباب المتطوع
قبائل عربية صديقة
مستشارين أجانب
منطقة عمليات بنغازي

Source: Confidential

4. Thefollowing is an unofficial translation of the above document.

Translated from Arabic

The General Command of the Libyan Armed Forces

Date: 11.01.2018

Annex I,

Human losses of the Libyan Armed Forces in Benghazi operations zone, from 14 May 2015 to 28 December 2017.

Regular troops: 2.365

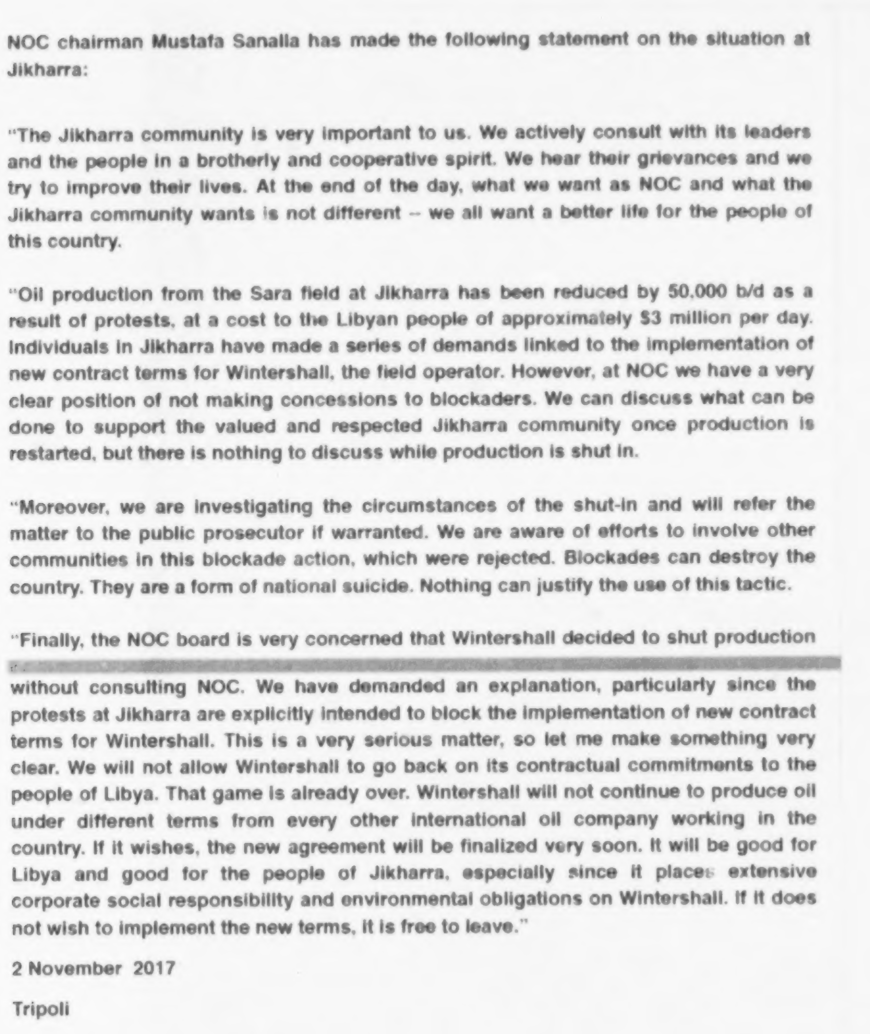
Support forces (local youth): 18.534

Allied Arab forces: 1.784

Foreign (non-Arab) advisors: 11

Source: Confidential

Annex 11 Statement of the chairman of the NOC on the blockade against al-Sarah field on 2 November 2017



NOC chairman Mustafa Sanalla has made the following statement on the situation at Jikharra:

"The Jikharra community is very important to us. We actively consult with its leaders and the people in a brotherly and cooperative spirit. We hear their grievances and we try to improve their lives. At the end of the day, what we want as NOC and what the Jikharra community wants is not different – we all want a better life for the people of this country.

"Oil production from the Sara field at Jikharra has been reduced by 50,000 b/d as a result of protests, at a cost to the Libyan people of approximately $3 million per day. Individuals in Jikharra have made a series of demands linked to the implementation of new contract terms for Wintershall, the field operator. However, at NOC we have a very clear position of not making concessions to blockaders. We can discuss what can be done to support the valued and respected Jikharra community once production is restarted, but there is nothing to discuss while production is shut in.

"Moreover, we are investigating the circumstances of the shut-in and will refer the matter to the public prosecutor if warranted. We are aware of efforts to involve other communities in this blockade action, which were rejected. Blockades can destroy the country. They are a form of national suicide. Nothing can justify the use of this tactic.

"Finally, the NOC board is very concerned that Wintershall decided to shut production without consulting NOC. We have demanded an explanation, particularly since the protests at Jikharra are explicitly intended to block the implementation of new contract terms for Wintershall. This is a very serious matter, so let me make something very clear. We will not allow Wintershall to go back on its contractual commitments to the people of Libya. That game is already over. Wintershall will not continue to produce oil under different terms from every other international oil company working in the country. If it wishes, the new agreement will be finalized very soon. It will be good for Libya and good for the people of Jikharra, especially since it places extensive corporate social responsibility and environmental obligations on Wintershall. If it does not wish to implement the new terms, it is free to leave."

2 November 2017

Tripoli

Source: National Oil Corporation[2]

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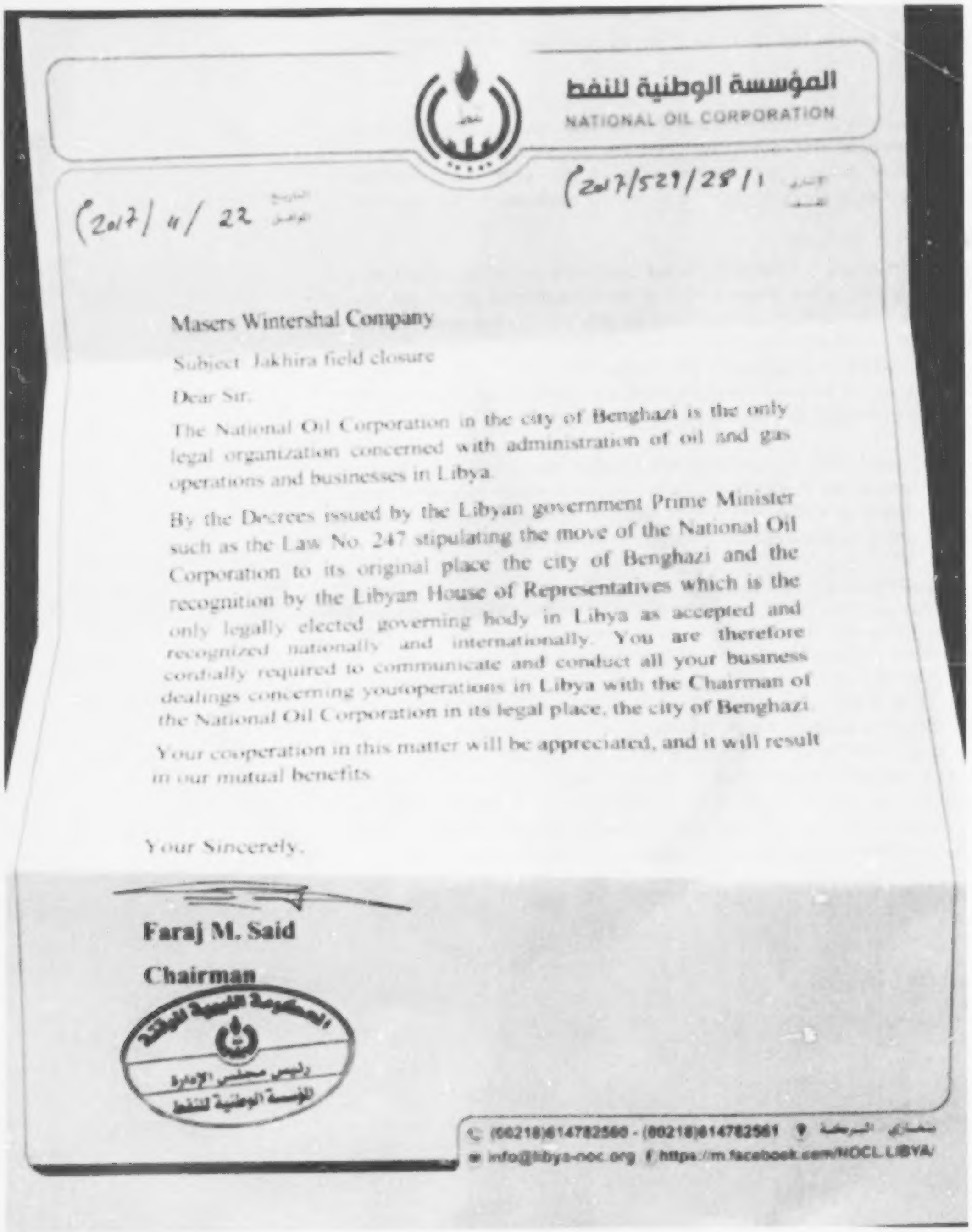
[2] https://noc.ly/index.php/en/

Annex 12 Letter by the Chairman of the Eastern NOC on 22 November 2017



المؤسسة الوطنية للنفط
NATIONAL OIL CORPORATION

الإشاري (2017/521/28/1

التاريخ
الموافق (2017/11/22

Masers Wintershal Company

Subject: Jakhira field closure

Dear Sir,

The National Oil Corporation in the city of Benghazi is the only legal organization concerned with administration of oil and gas operations and businesses in Libya.

By the Decrees issued by the Libyan government Prime Minister such as the Law No. 247 stipulating the move of the National Oil Corporation to its original place the city of Benghazi and the recognition by the Libyan House of Representatives which is the only legally elected governing body in Libya as accepted and recognized nationally and internationally. You are therefore cordially required to communicate and conduct all your business dealings concerning youroperations in Libya with the Chairman of the National Oil Corporation in its legal place, the city of Benghazi.

Your cooperation in this matter will be appreciated, and it will result in our mutual benefits.

Your Sincerely,

Faraj M. Said

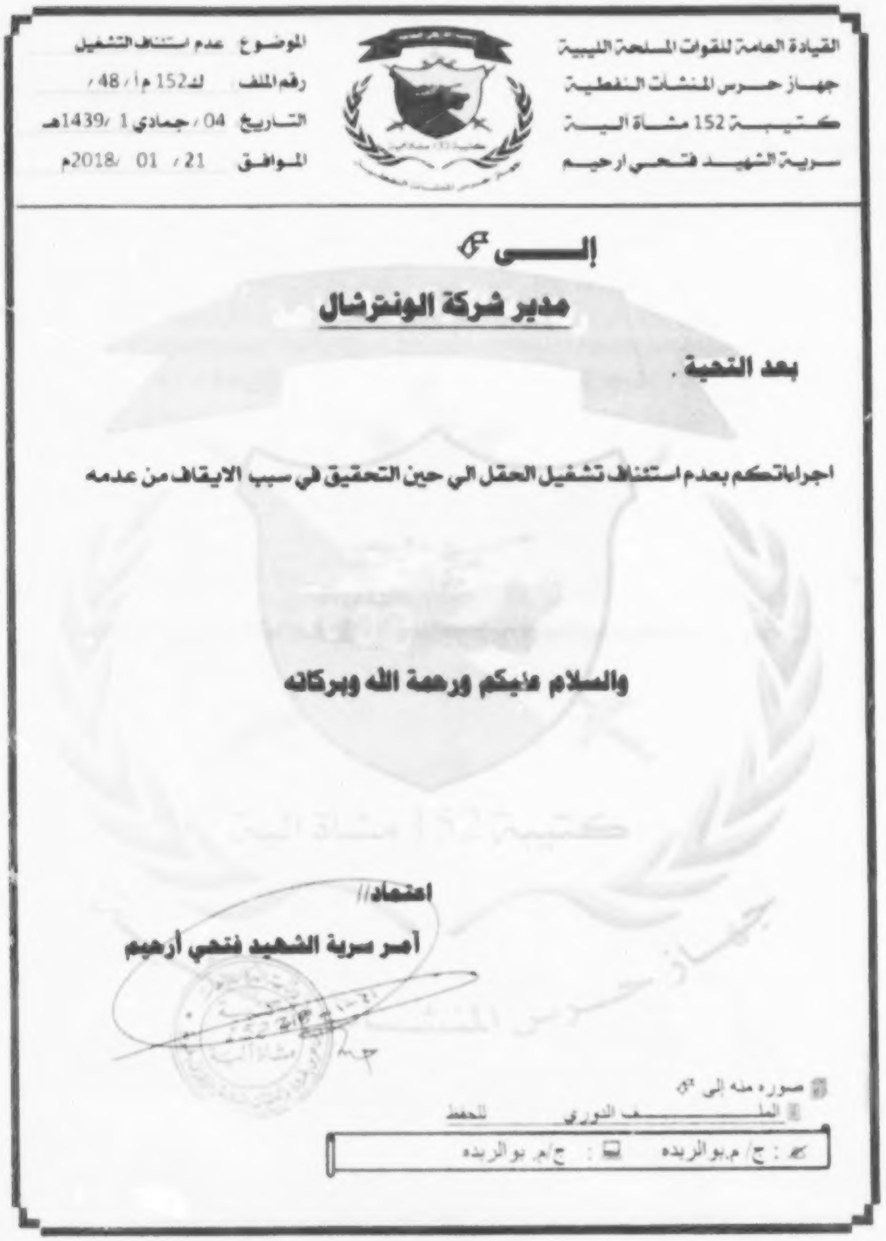
Chairman

الحكومة الليبية المؤقتة
رئيس مجلس الإدارة

بنغازي البركة (00218)614782560 - (00218)614782561
info@libya-noc.org https://m.facebook.com/NOCL.LIBYA/

Source: Confidential

Annex 13 Letter signed by the Commander of the Martyr Fathi Arhim Brigade and addressed to Wintershall



القيادة العامة للقوات المسلحة الليبية
جهاز حرس المنشآت النفطية
كتيبة 152 مشاة الية
سرية الشهيد فتحي ارحيم

الموضوع عدم استئناف التشغيل
رقم الملف ك152 م أ / 48 /
التاريخ 04 / جمادي 1 /1439هـ
الموافق 21 / 01 /2018م

إلـــى ☜

مدير شركة الونترشال

بعد التحية .

اجراءاتكم بعدم استئناف تشغيل الحقل الي حين التحقيق في سبب الايقاف من عدمه

والسلام عليكم ورحمة الله وبركاته

اعتماد//

آمر سرية الشهيد فتحي أرحيم

صوره منه إلى ☜
الملـــــــــــف الدوري للحفظ

✍ : ج/ م.بوالربده 🖥 : ج/م. بوالربده

Source: Facebook.

31. The following is an unofficial translation of the above document.

Translated from Arabic

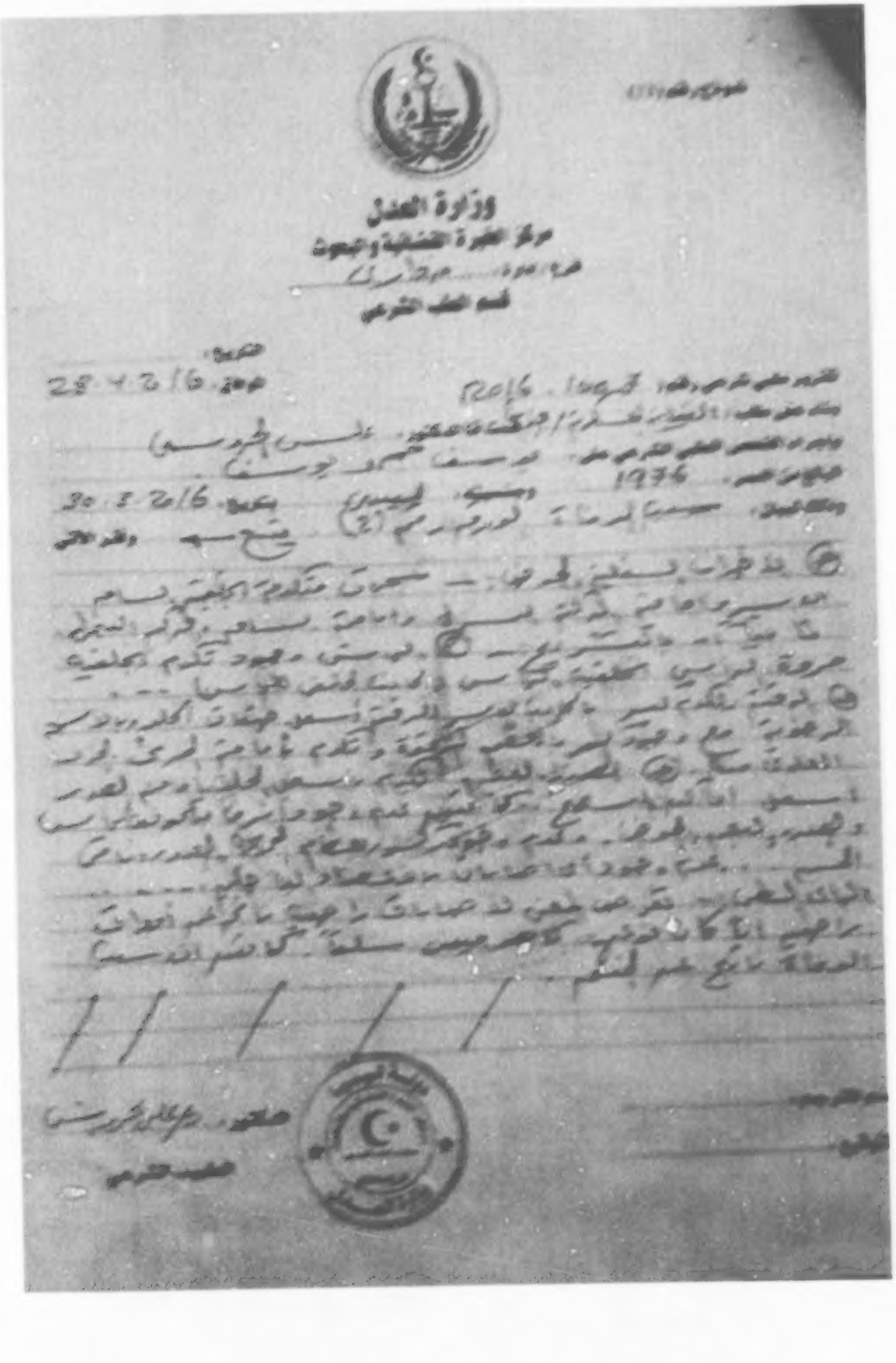
The General Command of the Armed Forces
The Petroleum Facilities Guard
The 152 Motorized Brigade
Fathi Arhim Martyr Company

Date: 1.11.2017

Addressed to the Director of Wintershall Company,
Please instruct not to resume production of oil (…).
Signed by the Commander of Martyr Fathi Arhim Company

Source: Facebook.

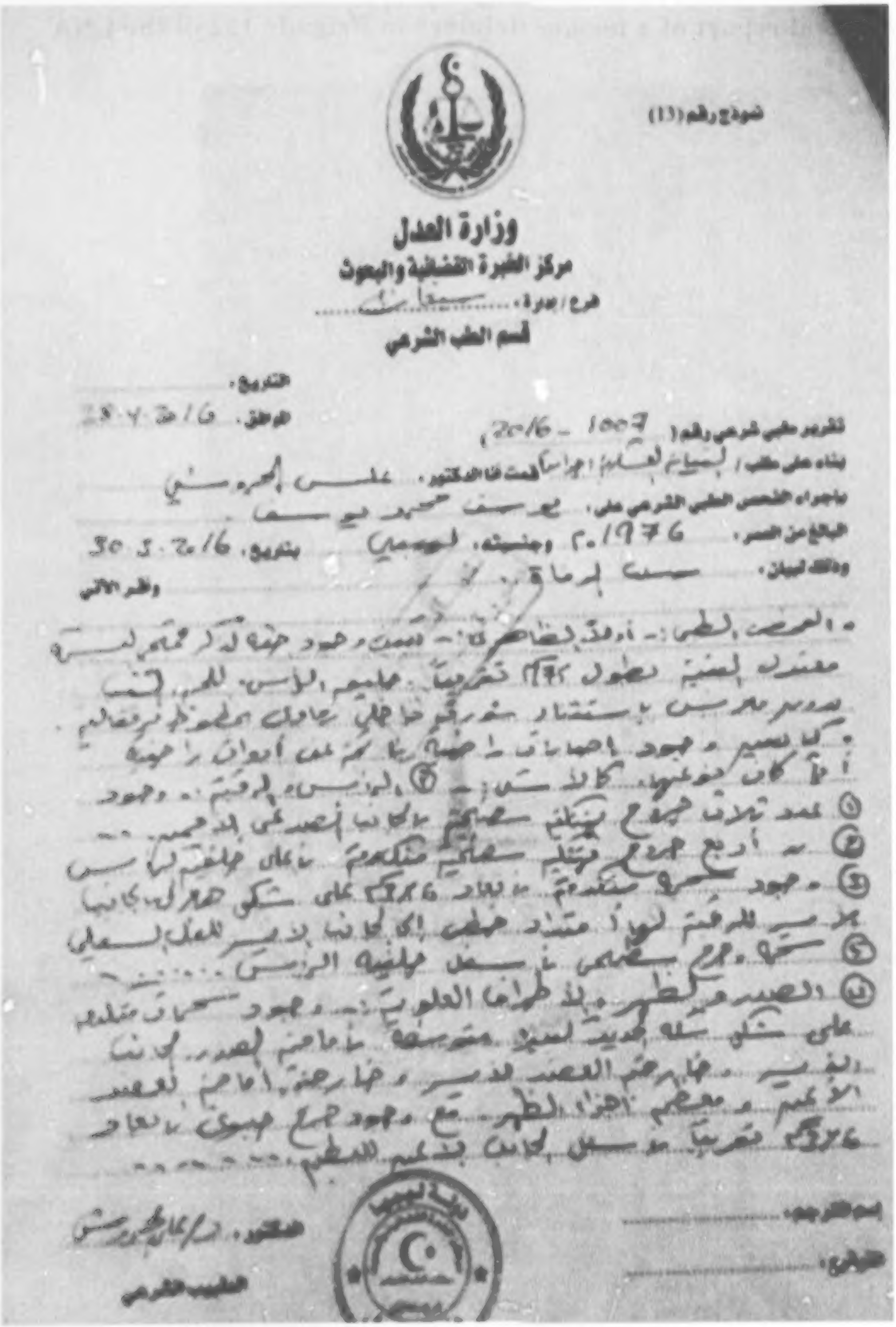
Annex 14 Medical report of a former detainee in Brigade 152 of the LNA



وزارة العدل
مركز الخبرة القضائية والبحوث
فرع [illegible]
قسم الطب الشرعي

28.4.2016
2016 [illegible]
1976
30.3.2016

[illegible]



نموذج رقم (13)

وزارة العدل
مركز الخبرة القضائية والبحوث
فرع / إدارة: سبها
قسم الطب الشرعي

التاريخ:
الموافق: 28.4.2016

تقرير طبي شرعي رقم (1007 - 2016)
بناء على طلب: النيابة العامة [illegible] قمت أنا الدكتور: [illegible]
بإجراء الفحص الطبي الشرعي على: [illegible]
البالغ من العمر: 1976 وجنسيته: ليبي بتاريخ: 30.3.2016
وذلك لبيان: سبب الوفاة
وظهر الآتي

• العرض الظاهري: - وهي جثة لذكر [illegible]
معتدل البنية بطول 172 تقريباً، شعر الرأس [illegible]
[illegible]
• كما تبين وجود إصابات [illegible]
[illegible] ② الرأس والرقبة: - وجود
① عدد ثلاث جروح [illegible]
② - أربع جروح [illegible]
③ - وجود [illegible] على شكل [illegible]
[illegible]
⑤ [illegible]
[illegible] الرأس
⑥ الصدر والظهر والأطراف العلوية: - وجود [illegible]
على شكل [illegible] متوسطة [illegible] الصدر [illegible]
[illegible] العضد الأيسر [illegible] أمام العضد
[illegible] ومعظم أجزاء الظهر. مع وجود جرح [illegible]
[illegible] تقريباً [illegible]

الدكتور: [illegible]
الطبيب الشرعي

[illegible]:
التوقيع:

Source: Confidential

32. This report is handwritten. Due to the poor resolution of the image, the Panel was only able to translate it partially. Sections from the medical report clearly indicate that the individual died from torture during his detention by Brigade 152.

33. The following is a translation of the above document.

Translated from Arabic

(Page 1)

Ministry of Justice

Judicial Expertise Centre

Criminal Forensic Department

Date: 28.4.2016

Medical Report number: 1007_2016

Upon a request by: Military Prosecution

Examined: Youssef Mohammad Youssef

Born: 1976 Nationality: Libyan Examined on: 30.3.2016

Cause of Death: Haematoma n°2

(…)

(Page 2)

Medical Report number: 1007_2016

Upon a request by: Military Prosecution

Examined: Youssef Mohammad Youssef

Born: 1976 Nationality: Libyan Examined on: 30.3.2016

(…)

Examination of the body reveals the existence of multiple injuries due to the use of hard tools, regardless of their specific type.

Head and neck and area:

1. Three superficial wounds on the right side of the head.
2. Four wounds and bruises on the rear of the head

3. Large bruise (3cmx6cm) in the form of a crescent on the left side of the neck, which reaches the left side of the jaw.

4. A bruise and a superficial wound on the lower backside of the head.

Chest, back and arms

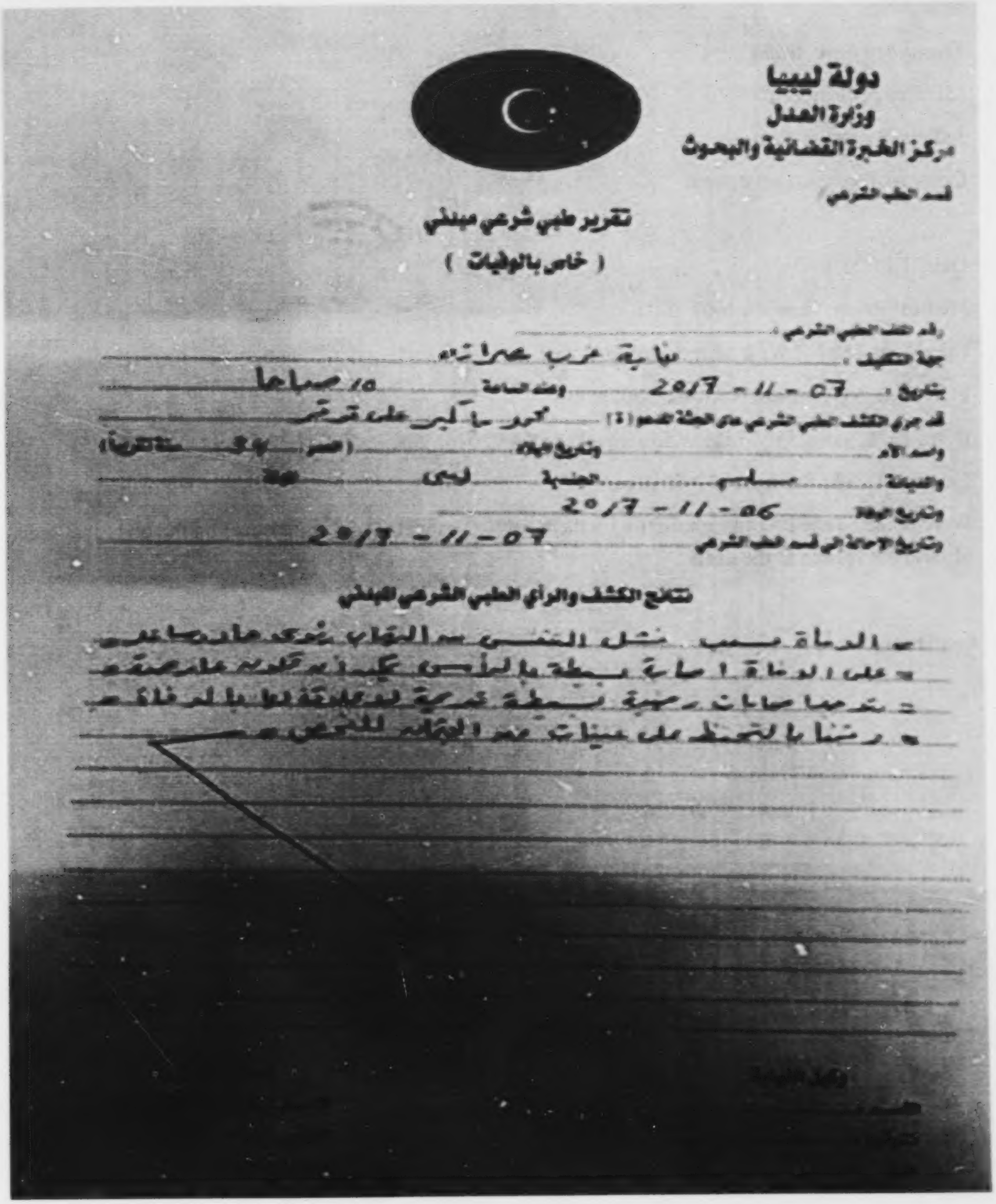
1. Bruises on chest in the form of railways, on the left side of the chest, on the arms and most of the back.

2. Deadly wound on the right lower side of the belly.

(…)

Source: Confidential

Annex 15 The case of Mohammad Bakir (a.k.a Al Nahla)



دولة ليبيا
وزارة العدل
مركز الخبرة القضائية والبحوث
قسم الطب الشرعي

تقرير طبي شرعي مبدئي
(خاص بالوفيات)

رقم الكشف الطبي الشرعي :

جهة التكليف : نيابة غرب طرابلس

بتاريخ : 2017 - 11 - 07 وقت الساعة 10 صباحا

قد جرى الكشف الطبي الشرعي على الجثة المدعو (ة) محمد باكير علي [illegible]

واسم الأم وتاريخ الميلاد (العمر [illegible] سنة تقريبا)

والديانة مسلم الجنسية ليبي المهنة

وتاريخ الوفاة 2017 - 11 - 06

وتاريخ الاحالة إلى قسم الطب الشرعي 2017 - 11 - 07

نتائج الكشف والرأي الطبي الشرعي المبدئي

- الوفاة بسبب شلل التنفس من التهاب [illegible]
- على الوفاة اصابة بسيطة بالرأس [illegible]
- [illegible] اصابات رضية بسيطة [illegible]
- رشنا بالتحفظ على عينات من الجثة للفحص

Source: Confidential

34. The following is an unofficial translation of the above document.

Translated from Arabic

Ministry of Justice

Judicial Expertise Centre

Criminal Forensic Department

Date: 7.11.2016

Medical Report number: 1007_2016

Upon a request by: West Misrata Attorney Office

Examined: Mohammad Bakir Ali Karkar

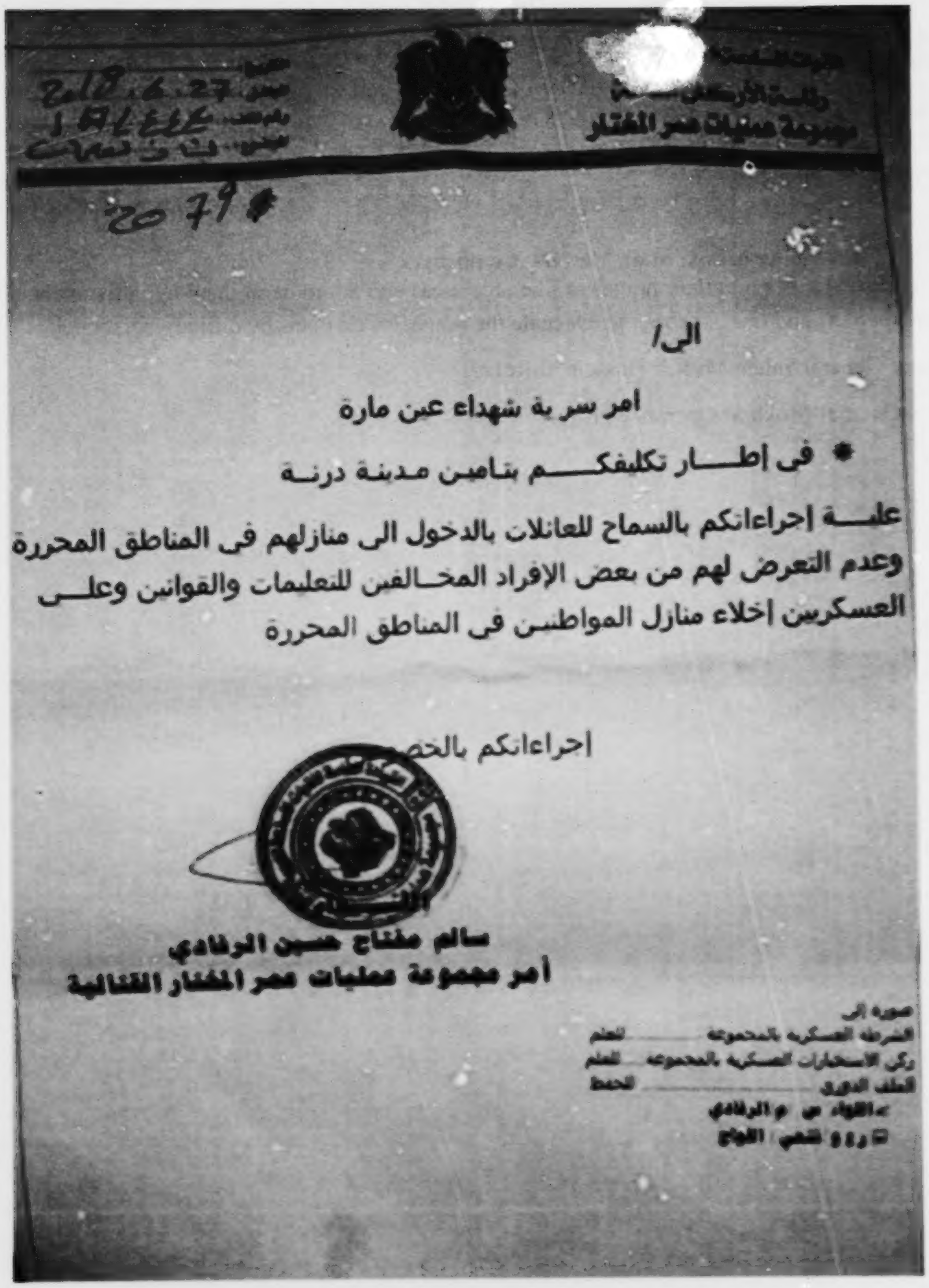
Born: 1976 Nationality: Libyan Examined on: 30.3.2016

Cause of Death: Strong lung infection.

Were noted on the body a light injury on the head (…) as well as several bruises on the body that seem old and not related to the death.

Source: Confidential

Annex 16 Letter by Omar al-Mokhtar Operations Room



[illegible]
رئاسة الأركان [illegible]
مجموعة عمليات عمر المختار

2018.6.27
[illegible]

20 79

الى/

آمر سرية شهداء عين مارة

* فى إطـــار تكليفكـــم بتامين مدينة درنـة

علـــة إجراءاتكم بالسماح للعائلات بالدخول الى منازلهم فى المناطق المحررة وعدم التعرض لهم من بعض الإفراد المخـالفين للتعليمات والقوانين وعلـــى العسكريين إخلاء منازل المواطنين فى المناطق المحررة

إجراءاتكم بالخص[illegible]

سالم مفتاح حسين الرفادي
آمر مجموعة عمليات عمر المختار القتالية

صورة الى
الشرطة العسكرية بالمجموعة .... للعلم
ركن الاستخبارات العسكرية بالمجموعة .... للعلم
الملف الدوري .... للحفظ
[illegible] الرفادي
[illegible]

Source: Facebook

35. The following is an unofficial translation of the above document.

Translated from Arabic

The Armed Arab Libyan Forces
The Chief of Staff
Omar al-Mokhtar Operations Room

Date: 27.06.2018

Addressed to the Commander of Ayn Mara Martyrs' Company,
(…) to allow families to return to their homes in liberated areas and not to harm them by individuals in violation of instructions and laws. Instruct to evacuate the houses of civilians by military personnel.

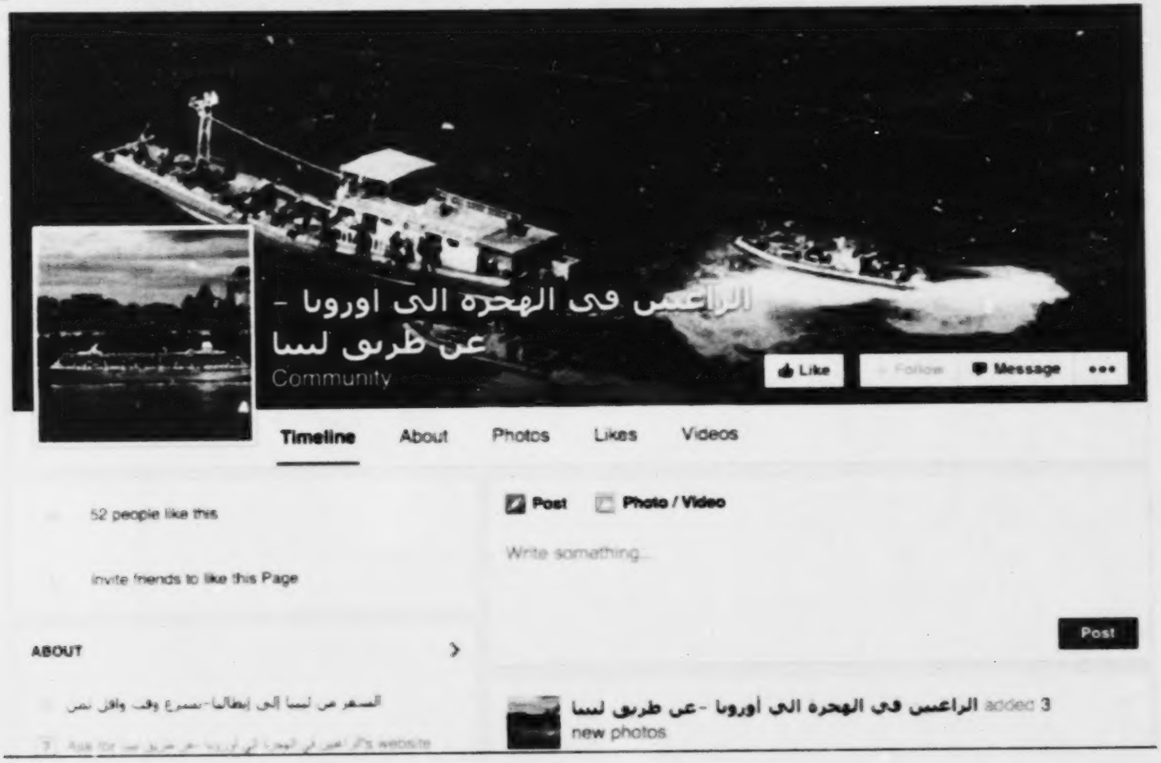
Signed by Major General Salem Muftah Hussein al-Refadi

Commander of Omar al-Mokhtar Operations Room

Source: Facebook

Annex 17 The smugglers marketing to attract candidates for migration to Europe via Libya

A Facebook page titled "Wishing to immigrate to Europe via Libya" posted in September 2014 guarantees comfort and safety



الراغبين في الهجرة الى اوروبا - عن طريق ليبيا

Community

52 people like this

Invite friends to like this Page

ABOUT

السفر من ليبيا الى إيطاليا-بأسرع وقت واقل ثمن

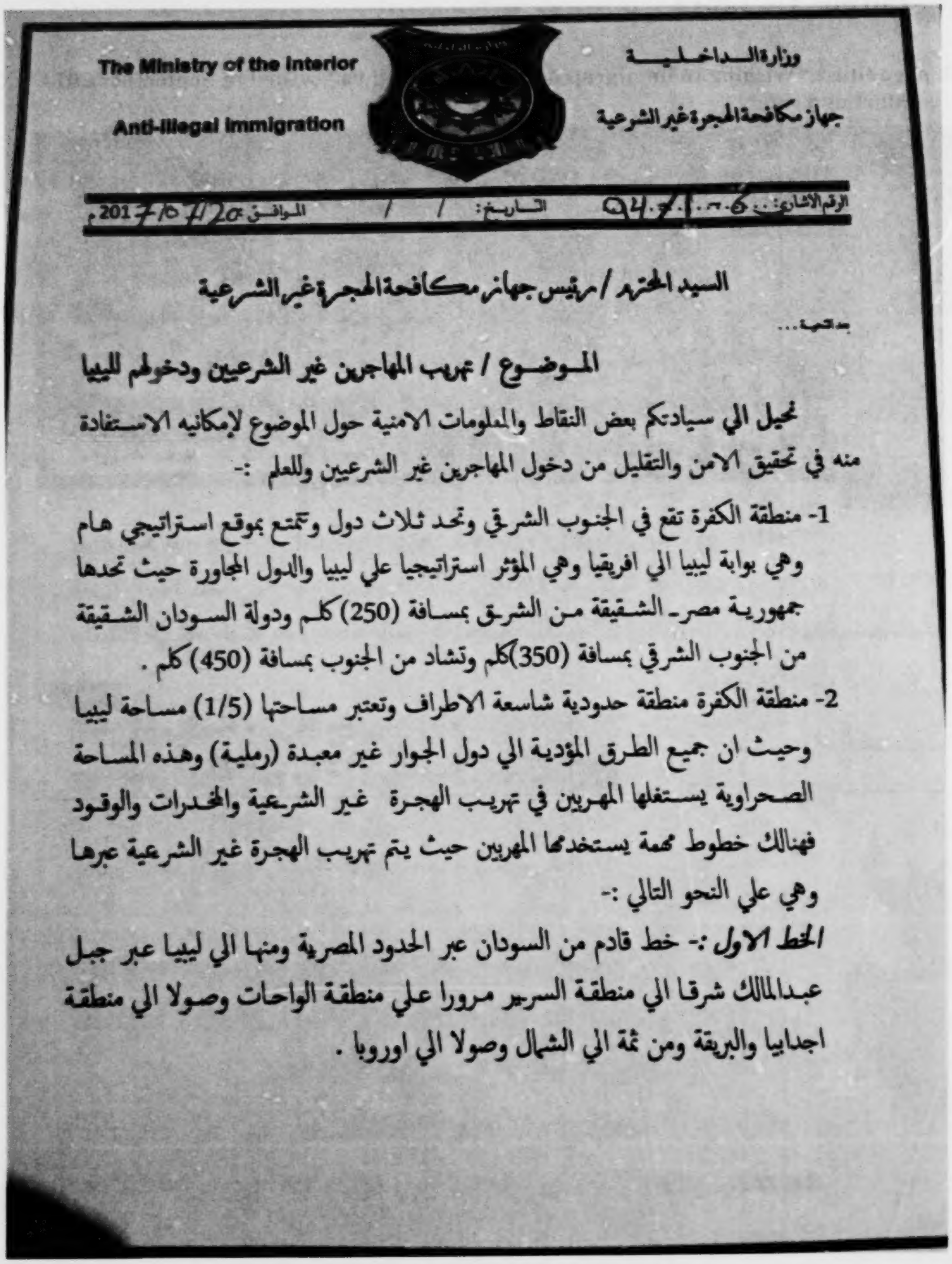
الراغبين في الهجرة الى أوروبا -عن طريق ليبيا added 3 new photos

Source: Media[3]

---

[3] Christopher Miller, "Smugglers use social media to lure migrants in the Mediterranean", Mashable, 25 April 2015. Available from https://mashable.com/2015/04/25/mediterranean-smugglers-facebook/?europe=true

Annex 18 Director of Al-Kufra detention centre reports on illegal migration



The Ministry of the Interior

Anti-illegal Immigration

وزارة الداخلية

جهاز مكافحة الهجرة غير الشرعية

الرقم الإشاري: ..6...-.. 94.7. التاريخ: / / الموافق 20/07/2017 م

السيد المحترم / رئيس جهاز مكافحة الهجرة غير الشرعية

بعد التحية...

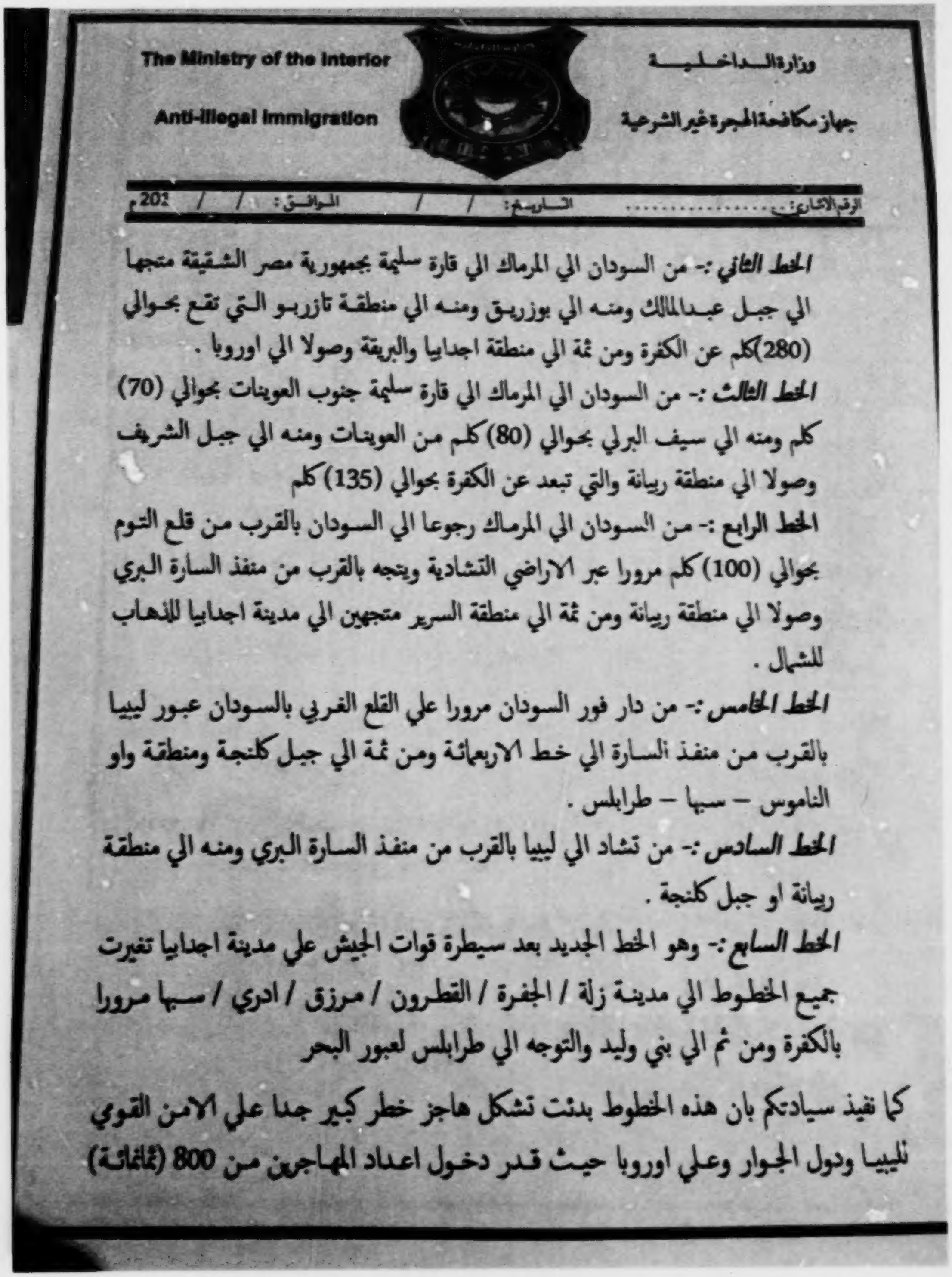
المـوضـوع / تهريب المهاجرين غير الشرعيين ودخولهم لليبيا

نحيل الي سيادتكم بعض النقاط والمعلومات الامنية حول الموضوع لإمكانيه الاستفادة منه في تحقيق الامن والتقليل من دخول المهاجرين غير الشرعيين وللعلم :-

1- منطقة الكفرة تقع في الجنوب الشرقي وتحد ثلاث دول وتتمتع بموقع استراتيجي هام وهي بوابة ليبيا الي افريقيا وهي المؤثر استراتيجيا علي ليبيا والدول المجاورة حيث تحدها جمهورية مصر الشقيقة من الشرق بمسافة (250) كلم ودولة السودان الشقيقة من الجنوب الشرقي بمسافة (350)كلم وتشاد من الجنوب بمسافة (450) كلم .

2- منطقة الكفرة منطقة حدودية شاسعة الاطراف وتعتبر مساحتها (1/5) مساحة ليبيا وحيث ان جميع الطرق المؤدية الي دول الجوار غير معبدة (رملية) وهذه المساحة الصحراوية يستغلها المهربين في تهريب الهجرة غير الشرعية والمخدرات والوقود فهنالك خطوط مهمة يستخدمها المهربين حيث يتم تهريب الهجرة غير الشرعية عبرها وهي علي النحو التالي :-

الخط الاول :- خط قادم من السودان عبر الحدود المصرية ومنها الي ليبيا عبر جبل عبدالمالك شرقا الي منطقة السرير مرورا علي منطقة الواحات وصولا الي منطقة اجدابيا والبريقة ومن ثمة الي الشمال وصولا الي اوروبا .



وزارة الداخلية

جهاز مكافحة الهجرة غير الشرعية

The Ministry of the Interior

Anti-Illegal Immigration

الرقم الإشاري: .... التاريخ: / / الموافق: / / 202م

الخط الثاني :- من السودان الي المرماك الي قارة سليمة بجمهورية مصر الشقيقة متجها الي جبل عبدالمالك ومنه الي بوزريق ومنه الي منطقة تازربو التي تقع بحوالي (280)كلم عن الكفرة ومن ثمة الي منطقة اجدابيا والبريقة وصولا الي اوروبا .

الخط الثالث :- من السودان الي المرماك الي قارة سليمة جنوب العوينات بحوالي (70) كلم ومنه الي سيف البرلي بحوالي (80) كلم من العوينات ومنه الي جبل الشريف وصولا الي منطقة ربيانة والتي تبعد عن الكفرة بحوالي (135) كلم

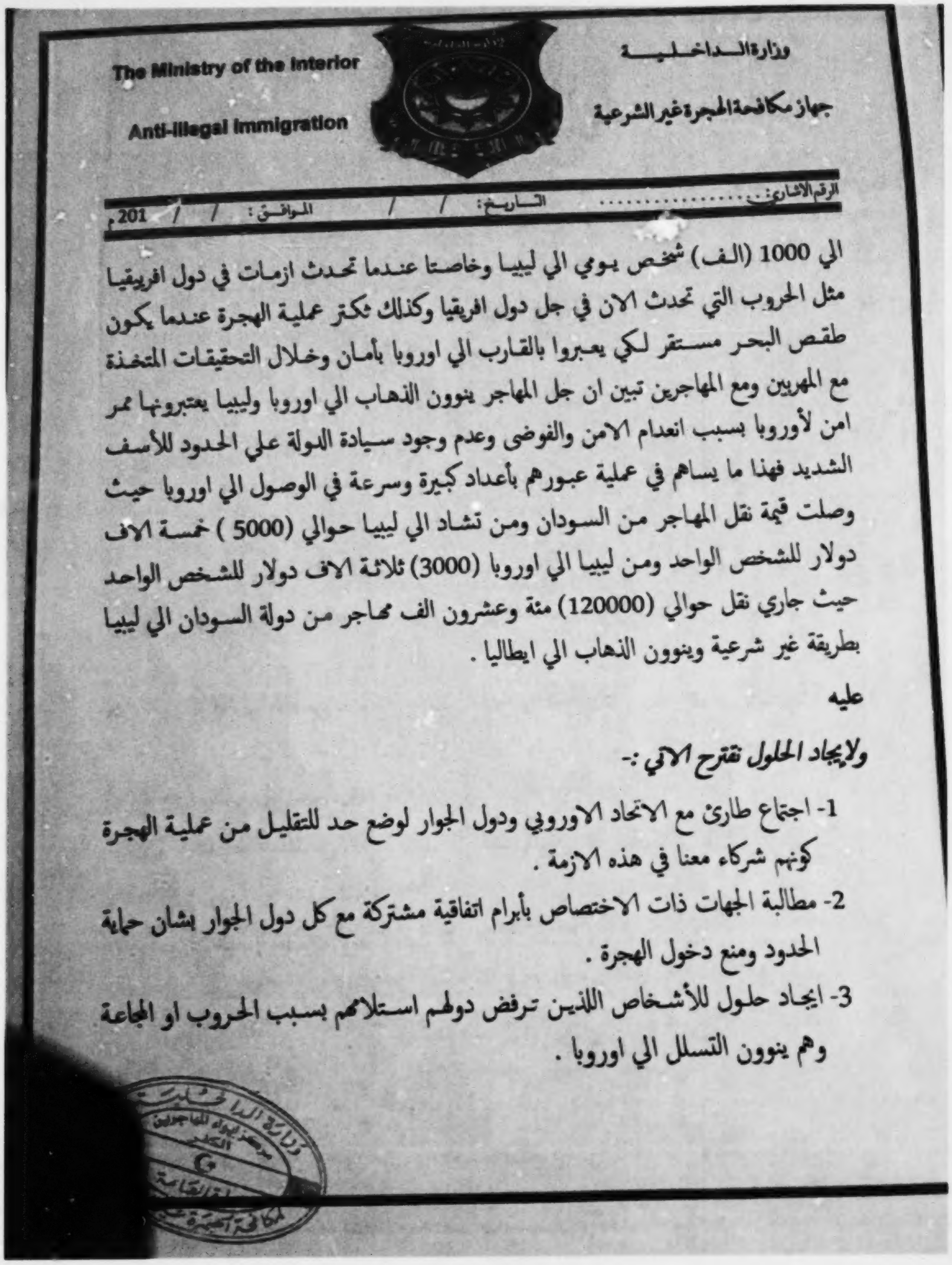
الخط الرابع :- من السودان الي المرماك رجوعا الي السودان بالقرب من قلع التوم بحوالي (100) كلم مرورا عبر الاراضي التشادية ويتجه بالقرب من منفذ السارة البري وصولا الي منطقة ربيانة ومن ثمة الي منطقة السرير متجهين الي مدينة اجدابيا للذهاب للشمال .

الخط الخامس :- من دار فور السودان مرورا علي القلع الغربي بالسودان عبور ليبيا بالقرب من منفذ السارة الي خط الاربعمائة ومن ثمة الي جبل كلنجة ومنطقة واو الناموس – سبها – طرابلس .

الخط السادس :- من تشاد الي ليبيا بالقرب من منفذ السارة البري ومنه الي منطقة ربيانة او جبل كلنجة .

الخط السابع :- وهو الخط الجديد بعد سيطرة قوات الجيش علي مدينة اجدابيا تغيرت جميع الخطوط الي مدينة زلة / الجفرة / القطرون / مرزق / ادري / سبها مرورا بالكفرة ومن ثم الي بني وليد والتوجه الي طرابلس لعبور البحر

كما نفيذ سيادتكم بان هذه الخطوط بدئت تشكل هاجز خطر كبير جدا علي الامن القومي نلبيبا ودول الجوار وعلي اوروبا حيث قدر دخول اعداد المهاجرين من 800 (ثمانمائة)



The Ministry of the Interior
Anti-Illegal Immigration

وزارة الداخلية
جهاز مكافحة الهجرة غير الشرعية

الرقم الاشاري: ....
التاريخ: / / الموافق: / / 201 م

الي 1000 (الف) شخص يومي الي ليبيا وخاصتا عندما تحدث ازمات في دول افريقيا مثل الحروب التي تحدث الان في جل دول افريقيا وكذلك تكثر عملية الهجرة عندما يكون طقص البحر مستقر لكي يعبروا بالقارب الي اوروبا بأمان وخلال التحقيقات المتخذة مع المهربين ومع المهاجرين تبين ان جل المهاجر ينوون الذهاب الي اوروبا وليبيا يعتبرونها ممر امن لأوروبا بسبب انعدام الامن والفوضى وعدم وجود سيادة الدولة علي الحدود للأسف الشديد فهذا ما يساهم في عملية عبورهم بأعداد كبيرة وسرعة في الوصول الي اوروبا حيث وصلت قيمة نقل المهاجر من السودان ومن تشاد الي ليبيا حوالي (5000) خمسة الاف دولار للشخص الواحد ومن ليبيا الي اوروبا (3000) ثلاثة الاف دولار للشخص الواحد حيث جاري نقل حوالي (120000) مئة وعشرون الف مهاجر من دولة السودان الي ليبيا بطريقة غير شرعية وينوون الذهاب الي ايطاليا .

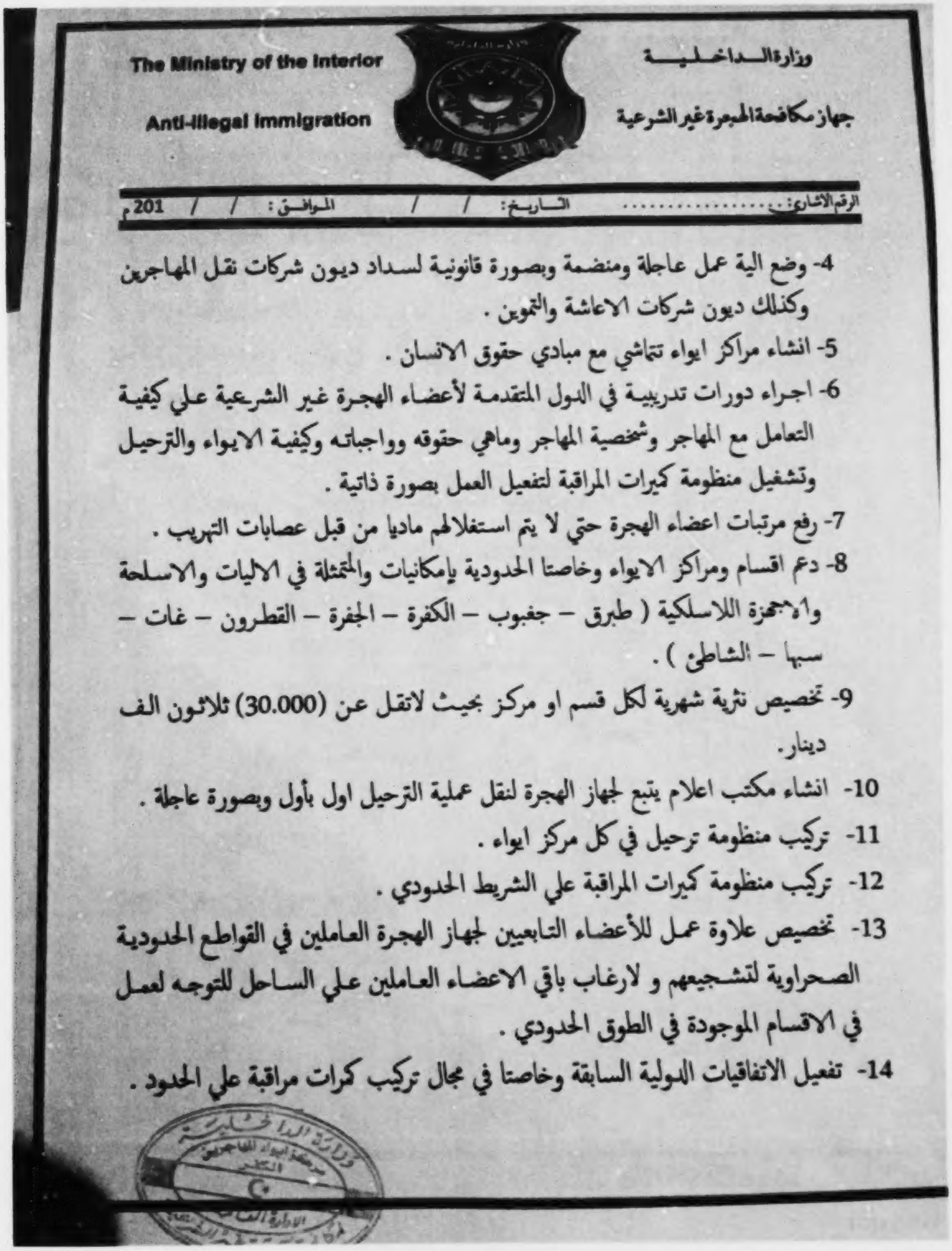
عليه

ولايجاد الحلول نقترح الاتي :-

1- اجتماع طارئ مع الاتحاد الاوروبي ودول الجوار لوضع حد للتقليل من عملية الهجرة كونهم شركاء معنا في هذه الازمة .

2- مطالبة الجهات ذات الاختصاص بأبرام اتفاقية مشتركة مع كل دول الجوار بشان حماية الحدود ومنع دخول الهجرة .

3- ايجاد حلول للأشخاص اللذين ترفض دولهم استلامهم بسبب الحروب او المجاعة وهم ينوون التسلل الي اوروبا .



وزارة الداخلية
جهاز مكافحة الهجرة غير الشرعية

The Ministry of the Interior
Anti-Illegal Immigration

الرقم الاشاري: .... التاريخ: / / الموافق: / / 201 م

4- وضع الية عمل عاجلة ومنضمة وبصورة قانونية لسداد ديون شركات نقل المهاجرين وكذلك ديون شركات الاعاشة والتموين .

5- انشاء مراكز ايواء تتماشي مع مبادي حقوق الانسان .

6- اجراء دورات تدريبية في الدول المتقدمة لأعضاء الهجرة غير الشرعية علي كيفية التعامل مع المهاجر وشخصية المهاجر وماهي حقوقه وواجباته وكيفية الايواء والترحيل وتشغيل منظومة كميرات المراقبة لتفعيل العمل بصورة ذاتية .

7- رفع مرتبات اعضاء الهجرة حتي لا يتم استغلالهم ماديا من قبل عصابات التهريب .

8- دعم اقسام ومراكز الايواء وخاصتا الحدودية بإمكانيات والمتمثلة في الاليات والاسلحة والاجهزة اللاسلكية (طبرق – جغبوب – الكفرة – الجفرة – القطرون – غات – سبها – الشاطئ) .

9- تخصيص نثرية شهرية لكل قسم او مركز بحيث لاتقل عن (30.000) ثلاثون الف دينار.

10- انشاء مكتب اعلام يتبع لجهاز الهجرة لنقل عملية الترحيل اول بأول وبصورة عاجلة .

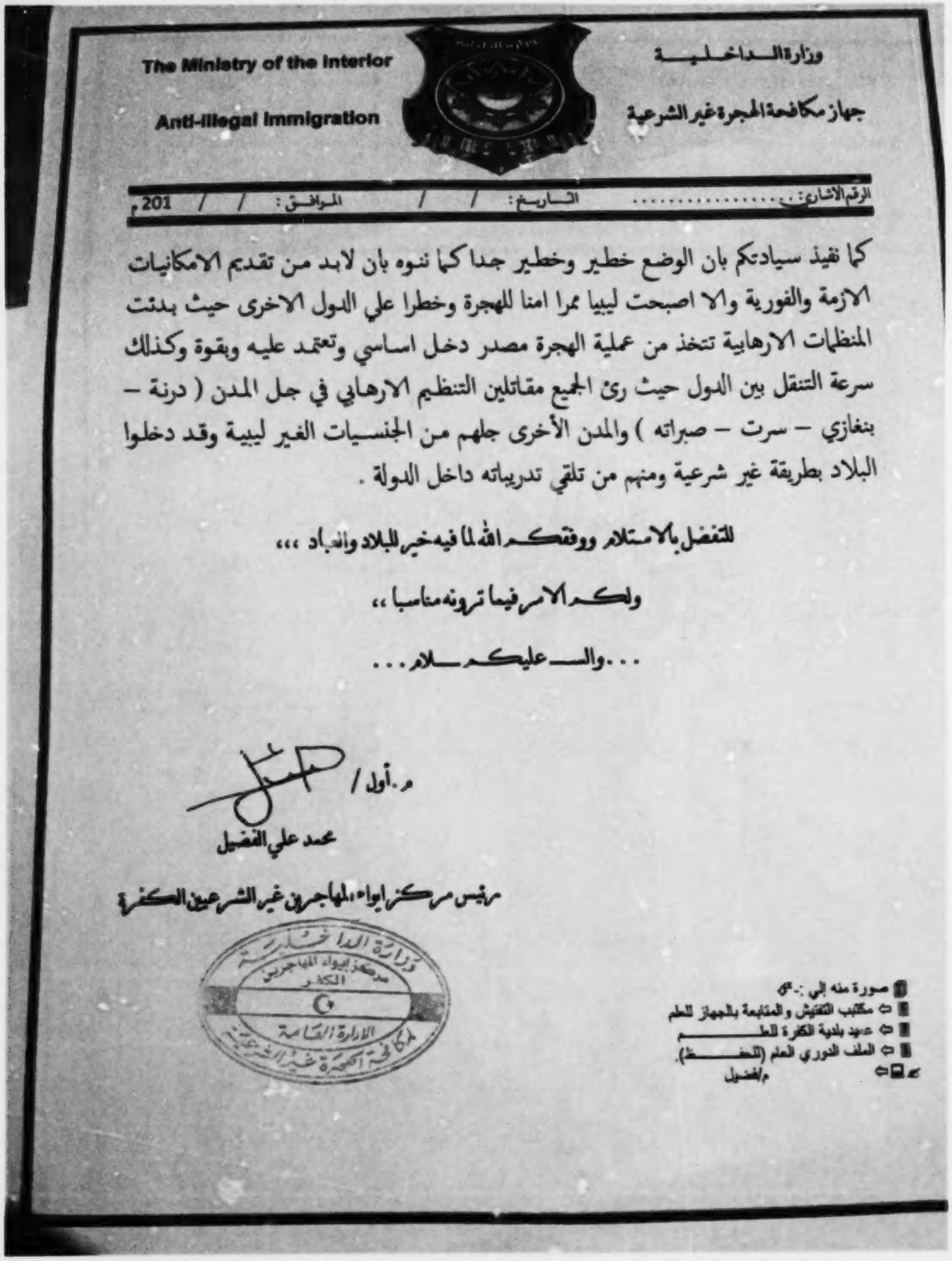
11- تركيب منظومة ترحيل في كل مركز ايواء .

12- تركيب منظومة كميرات المراقبة علي الشريط الحدودي .

13- تخصيص علاوة عمل للأعضاء التابعيين لجهاز الهجرة العاملين في القواطع الحدودية الصحراوية لتشجيعهم و لارغاب باقي الاعضاء العاملين علي الساحل للتوجه لعمل في الاقسام الموجودة في الطوق الحدودي .

14- تفعيل الاتفاقيات الدولية السابقة وخاصتا في مجال تركيب كمرات مراقبة علي الحدود .

مركز ايواء المهاجرين الكفرة



The Ministry of the Interior

Anti-illegal Immigration

وزارة الـــداخـلـيـــة

جهاز مكافحة الهجرة غير الشرعية

الرقم الاشاري: .... التـــاريـخ: / / المـوافـــق: / / 201م

كما نفيذ سيادتكم بان الوضع خطير وخطير جدا كما ننوه بان لابد من تقديم الامكانيات الازمة والفورية والا اصبحت ليبيا ممرا امنا للهجرة وخطرا علي الدول الاخرى حيث بدئت المنظمات الارهابية تتخذ من عملية الهجرة مصدر دخل اساسي وتعتمد عليه وبقوة وكذلك سرعة التنقل بين الدول حيث رئ الجميع مقاتلين التنظيم الارهابي في جل المدن (درنة – بنغازي – سرت – صبراته) والمدن الأخرى جلهم من الجنسيات الغير ليبية وقد دخلوا البلاد بطريقة غير شرعية ومنهم من تلقي تدريباته داخل الدولة .

للتفضل بالاستلام ووفقكم الله لما فيه خير للبلاد والعباد ،،،

ولكم الامر فيما ترونه مناسبا ،،

. . . والســـ عليكم ـــلام . . .

م. أول /

محمد علي الفضيل

رئيس مركز ايواء المهاجرين غير الشرعيين الكفرة

صورة منه إلي :-

⇦ مكتب التفتيش والمتابعة بالجهاز للعلم

⇦ عميد بلدية الكفرة للعلـــم

⇦ الملف الدوري العام (للحفـــظ).

⇦

م/فضيل

Source: Confidential

36. Thefollowing is an official translation of the above document.

Translated from Arabic

Ministry of the Interior
Department for Combatting Illegal Migration

No.: 6-1/94
Date: 20 July 2017

Subject: Smuggling of illegal migrants into Libya

Sir,

We should like to draw your attention to some security-related information and matters that may be useful in establishing security and reducing the number of illegal migrants.

1. The Kufrah region lies in the south-west and borders three States. Its location is strategically important and the region serves as the gateway of Libya to Africa. It is strategically significant to Libya and neighbouring States. The region borders Egypt (250 km), the Sudan (350 km) and Chad (450 km).

2. Kufrah is a vast border region that makes up one fifth of the area of Libya. All the roads that connect to neighbouring States are unpaved (dirt). Smugglers use this vast desert area to smuggle illegal migrants, drugs and fuel. Following are some of the most important routes that smugglers use to move illegal migrants:

Route 1. This route runs from the Sudan, through Egypt and then east into Libya across Jabal Abdulmalik. It then continues to the Sarir region via the Wahat region before reaching Ajdabiyah and Burayaqah, and then on to the north towards Europe.

Route 2. This route runs from the Sudan to Marmak, then to a safe haven in Egypt and then on to Jabal Abdulmalik. From there it runs to Bu Zrayq and then Tazerbu, which is some 280 km from Kufrah. It then runs through Ajdabiyah and Burayaqah, and then on to the north towards Europe.

Route 3. This route runs from the Sudan to Marmak and then to a safe haven some 70 km south of Awaynat. From there, it runs to Sayf al-Barh, some 80 km from Awaynat, then Jabal al-Sharif and then on to the Rabyanah area, which some 135 km from Kufrah.

Route 4. This route runs from the Sudan to Marmak and then back into the Sudan, some 100 km from Qal' al-Tum. It then runs through Chadian territory, passing near the Sarah land entry/exit point, and then on to Rabyanah and Sarir, before heading towards Ajdabiyah and on to the north.

Route 5. This route runs from Darfur, the Sudan, to Qal' al-Gharbi, the Sudan, crossing into Libya near the Sarah land entry/exit point. It then proceeds to Khatt al-Arba'mi'ah, Jabal Kalanjah, Waw al-Namus, Sabha and, finally, Tripoli.

Route 6. This route runs from Chad to Libya, passing near the Sarah land entry/exit point, and from there on to either Rabyanah or Jabal Kalanjah.

Route 7. This is a new route that was opened after army troops took control of Ajdabiyah. All of the routes changed [sic] to the cities of Zallah, Jufrah, Qatrun, Mirzaq and Sabha, passing through Kufrah. From there, it goes to Bani Walid and then to Tripoli, in order to cross the sea.

His Excellency the Director of the Department for Combatting Illegal Migration

We should also like to inform you that the above-mentioned routes constitute a serious threat to the national security of Libya and the security of its neighbouring States and Europe. It is estimated that 800 to 1,000 migrants enter Libya daily. They enter, in particular, in times of crisis, such as the wars that are occurring in many African countries. Migration also increases when the seas are calm, as that enables migrants to cross safely to Europe using boats. Interviews with smugglers and migrants have revealed that most of the migrants intend to go to Europe. They consider Libya to be a safe corridor to Europe because of the lack of security, the state of chaos and the inability of the State to control the borders. Unfortunately, those factors enable large numbers of migrants to pass through quickly and reach Europe. It currently costs approximately $5,000 to transport one migrant from the Sudan and Chad to Libya, and approximately $3,000 to transport one migrant from Libya to Europe. Some 120,000 migrants who want to go to Europe are being transported illegally from the Sudan to Libya.

In order to resolve this problem, we should like to propose the following:

1. An emergency meeting must be convened with the European Union and neighbouring States, which, like us, are being affected by this crisis, in order to develop means of reducing the flow of migrants.

2. The competent authorities should be called upon to conclude an agreement with neighbouring States concerning border protection and preventing the entry of migrants.

3. A solution must be found to the problem of individuals who want to enter surreptitiously into Europe and whose States [of nationality] refuse to take them back because of war or famine.

4. We must urgently establish an organized and lawful mechanism to pay off the debts of the companies that transport migrants and of the companies that provide sustenance and provisions.

5. We must set up shelters that conform to human rights standards.

6. We must organize training courses in developed countries for Department for Combatting Illegal Migration personnel. These courses should address how to deal with migrants, the rights and responsibilities of migrants, how to shelter and deport [migrants], and how to enable automatic operation of video monitoring systems.

7. The salaries of Department for Combatting Illegal Migration officials must be raised, in order to prevent smuggling gangs from offering them material inducements.

8. Shelters, particularly those on the borders, must be given the weapons, equipment and wireless communication devices that they need, including the shelters at Turbruq, Jaghbub, Kufrah, Jufrah, Qatrun, Ghat, Sabha and Shati'.

9. Each shelter must be given at least 30,000 dinars per months for petty expenses.

10. The Department for Combatting Illegal Migration should be given a press office, which can provide up-to-the-minute information on the deportation process.

11. An expulsion system must be set up at each shelter.

12. A video monitoring system must be set up on the border strip.

13. Department for Combatting Illegal Migration staff who are posted to the border sectors should be given a bonus, in order to encourage them and entice other staff who are posted in the coastal areas to work the borders.

14. We must give effect to existing international agreements, particularly those relating to the installation of border monitoring cameras.

We should also like to inform Your Excellency that the situation is extremely critical. It is imperative that the necessary capacity should be made available. Otherwise, Libya will become a safe corridor for migration and a threat to other States. Migration has become a major source of income on which terrorist organization are extremely dependent. I In addition, it has enabled them to move [members] quickly between States. Everyone is aware that there are foreign terrorist fighters in Darnah, Benghazi, Sirte, Sabratah and various other cities, and that those fighters entered the country illegally and received their training here.

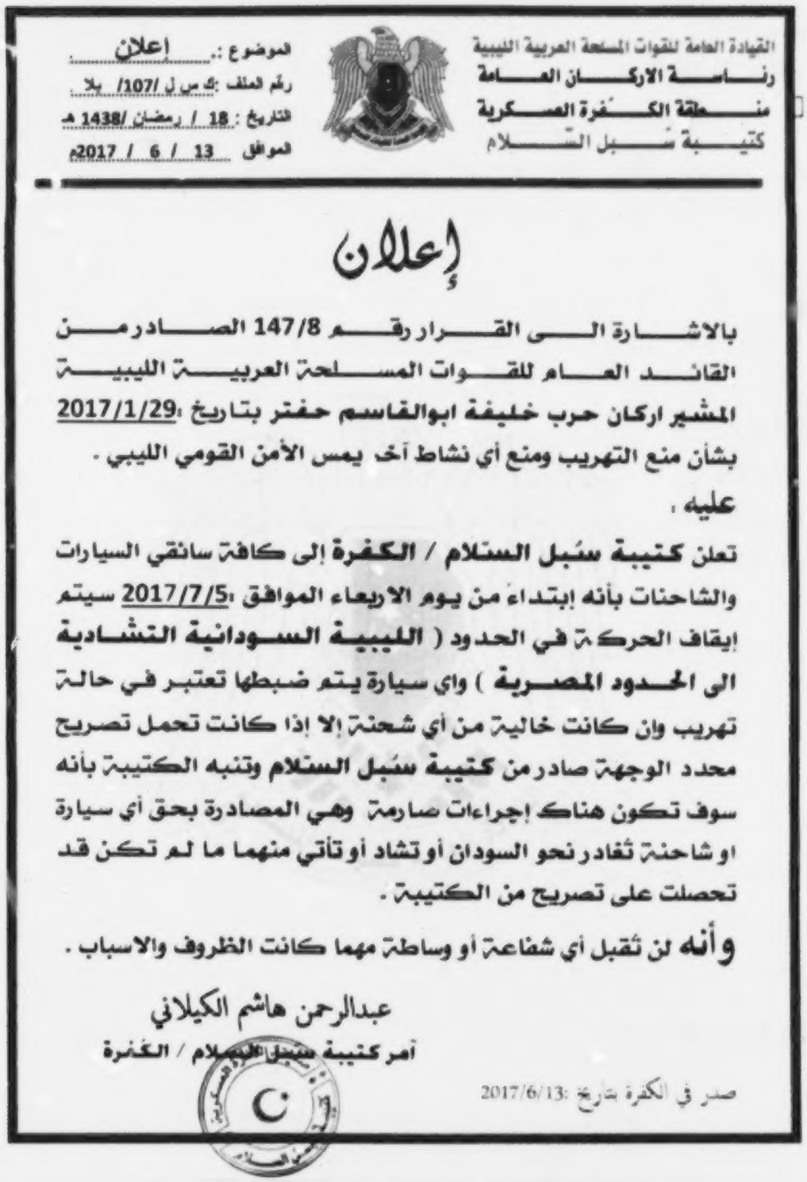
Accept, Sir, the assurances of my highest consideration.

(*Signed*) Lieutenant Muhammad Ali **al-Fadil**
Director
Illegal Migrant Shelter, Kufrah

Source: Confidential (translated by the United Nations)

Annex 19 LNA units' involvement in the smuggling of migrants in al Kufra region

37. LNA's Subul al-Salam Brigade orders to combat smuggling activities between Southern border and al-Kufra.



القيادة العامة للقوات المسلحة العربية الليبية
رئاسة الاركان العامة
منطقة الكُفرة العسكرية
كتيبة سُبل السّلام

الموضوع :. إعلان
رقم الملف :ك س ل /107/ بلا
التاريخ : 18 / رمضان /1438 هـ
الموافق 13 / 6 / 2017م

إعلان

بالاشارة الى القرار رقم 147/8 الصادر من القائد العام للقوات المسلحة العربية الليبية المشير اركان حرب خليفة ابوالقاسم حفتر بتاريخ، 2017/1/29 بشأن منع التهريب ومنع أي نشاط آخر يمس الأمن القومي الليبي .

عليه ،

تعلن **كتيبة سُبل السلام / الكفرة** إلى كافة سائقي السيارات والشاحنات بأنه إبتداءً من يوم الاربعاء الموافق، 2017/7/5 سيتم إيقاف الحركة في الحدود (**الليبية السودانية التشادية الى الحدود المصرية**) واي سيارة يتم ضبطها تعتبر في حالة تهريب وان كانت خالية من أي شحنة إلا إذا كانت تحمل تصريح محدد الوجهة صادر من **كتيبة سُبل السلام** وتنبه الكتيبة بأنه سوف تكون هناك إجراءات صارمة وهي المصادرة بحق أي سيارة او شاحنة تغادر نحو السودان أو تشاد أو تأتي منهما ما لم تكن قد تحصلت على تصريح من الكتيبة .

وأنه لن تقبل أي شفاعة أو وساطة مهما كانت الظروف والاسباب .

عبدالرحمن هاشم الكيلاني
آمر كتيبة سُبل السلام / الكفرة

صدر في الكفرة بتاريخ :2017/6/13

Source: Confidential

38. Thefollowing is an official translation of the above document.

Translated from Arabic

Libyan Arab Armed Forces General Command
Office of the General Staff
Kufrah Military Zone
Subul al-Salam Battalion

Subject: Notice
File No.: *ka sin lam 107 bala*
19 Ramadan A.H. 1438
13 June 2017

Notice

In reference to Decision No. 8/147 issued on 29 January 2017 by Marshal Khalifah Belqasim Haftar, Commander-in-Chief of the Libyan Arab Armed Forces, regarding the prevention of smuggling or any other activity damaging to Libyan national security:

The Subul al-Salam Battalion in Kufrah hereby serves notice to all drivers of cars and trucks that as of Wednesday, 5 July 2017, all traffic between the Libyan-Sudanese-Chadian border and Egypt will be stopped. Any vehicle stopped will be treated as a smuggling vehicle, even if it contains no cargo, unless it has a special authorization issued by the Subul al-Salam Battalion. The Battalion hereby warns that there will be strict measures taken, including the seizure of any car or truck leaving towards or entering from the Sudan or Chad without having first obtained authorization from the Battalion.

There will be no means of mediation or appeal, under any circumstance or for whatever reason.

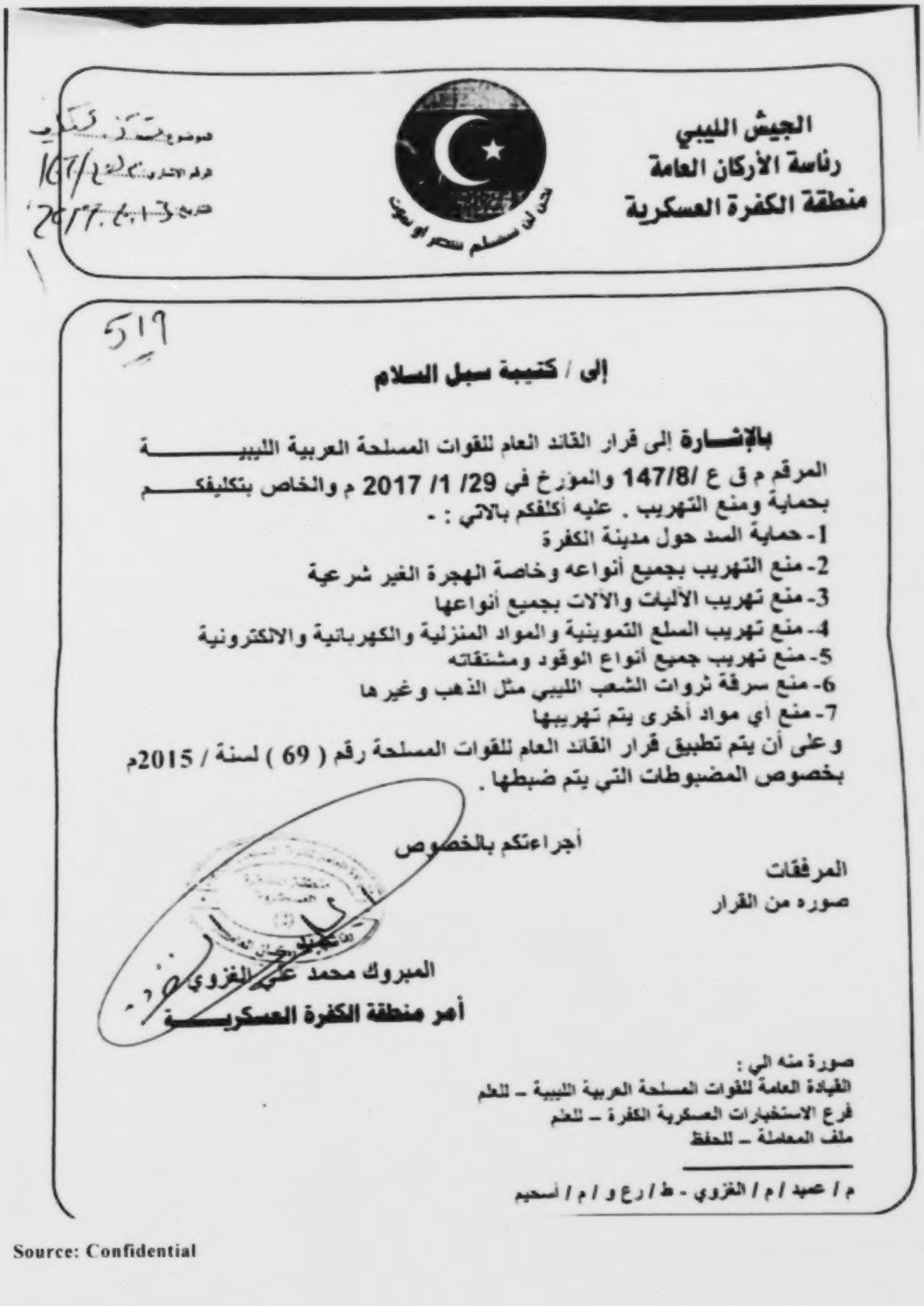
Abdulrahman Hashim al-Kilani
Commander of the Subul al-Salam Battalion in Kufrah

[Seal of the Subul al-Salam Battalion, Kufrah Military Zone]

Issued in Kufrah on 13 June 2017

Source: Confidential (translated by the United Nations)

LNA entrusts Subul al-Salam Brigade with special mandate to combat the smuggling of migrants



الموضوع : [illegible]
الرقم الإشاري : 167/[illegible]
التاريخ : 2017.6.13

الجيش الليبي
رئاسة الأركان العامة
منطقة الكفرة العسكرية

519

إلى / كتيبة سبل السلام

بالإشـــارة إلى قرار القائد العام للقوات المسلحة العربية الليبيــــــــة المرقم م ق ع /147/8 والمؤرخ في 29/ 1/ 2017 م والخاص بتكليفكـــــم بحماية ومنع التهريب . عليه أكلفكم بالاتي : -

1- حماية السد حول مدينة الكفرة
2- منع التهريب بجميع أنواعه وخاصة الهجرة الغير شرعية
3- منع تهريب الآليات والآلات بجميع أنواعها
4- منع تهريب السلع التموينية والمواد المنزلية والكهربائية والالكترونية
5- منع تهريب جميع أنواع الوقود ومشتقاته
6- منع سرقة ثروات الشعب الليبي مثل الذهب وغيرها
7- منع أي مواد أخرى يتم تهريبها

وعلى أن يتم تطبيق قرار القائد العام للقوات المسلحة رقم (69) لسنة / 2015م بخصوص المضبوطات التي يتم ضبطها .

أجراءتكم بالخصوص

المرفقات
صوره من القرار

المبروك محمد علي الغزوي
أمر منطقة الكفرة العسكريـــــة

صورة منه الي :
القيادة العامة للقوات المسلحة العربية الليبية – للعلم
فرع الاستخبارات العسكرية الكفرة – للعلم
ملف المعاملة – للحفظ

م / عبد / م / الغزوي - ط / رع و / م / أسحيم

Source: Confidential

39. **The following is an official translation of the above document.**

Libyan Army
General Command
Kufrah Military Zone

Subject: Authorization
File No.: [*illegible*] 167
Date: 13 [*illegible*] 2017

"We will never give up – Victory or death"

[*Handwritten*] 519

To: The Subul al-Salam Battalion

In reference to the decision of the Commander-in-Chief of the Libyan Arab Armed Forces, No. *mim qa ayn* 8/147 dated 29 January 2017, charging you with preventing smuggling, I hereby charge you with the following:

1. Protecting the perimeter of the city of Kufrah;
2. Preventing smuggling of any kind, and particularly illegal migration;
3. Preventing the smuggling of vehicles or machines of any kind;
4. Preventing the smuggling of food commodities, household items and electronics;
5. Preventing the smuggling of fuel or fuel products of any kind;
6. Preventing the theft of the Libyan people's resources, such as gold, etc.;
7. Interdicting any other goods that are being smuggled.

The provisions of the Decision of the Commander-in-Chief of the Armed Forces No. 69 (2015) shall be applicable to any items seized.

Please take appropriate measures.

Annexes

Copy of the decision

(*Signed*) Mabruk Muhammad Ali al-Ghazawi
Commander of the Kufrah Military Zone

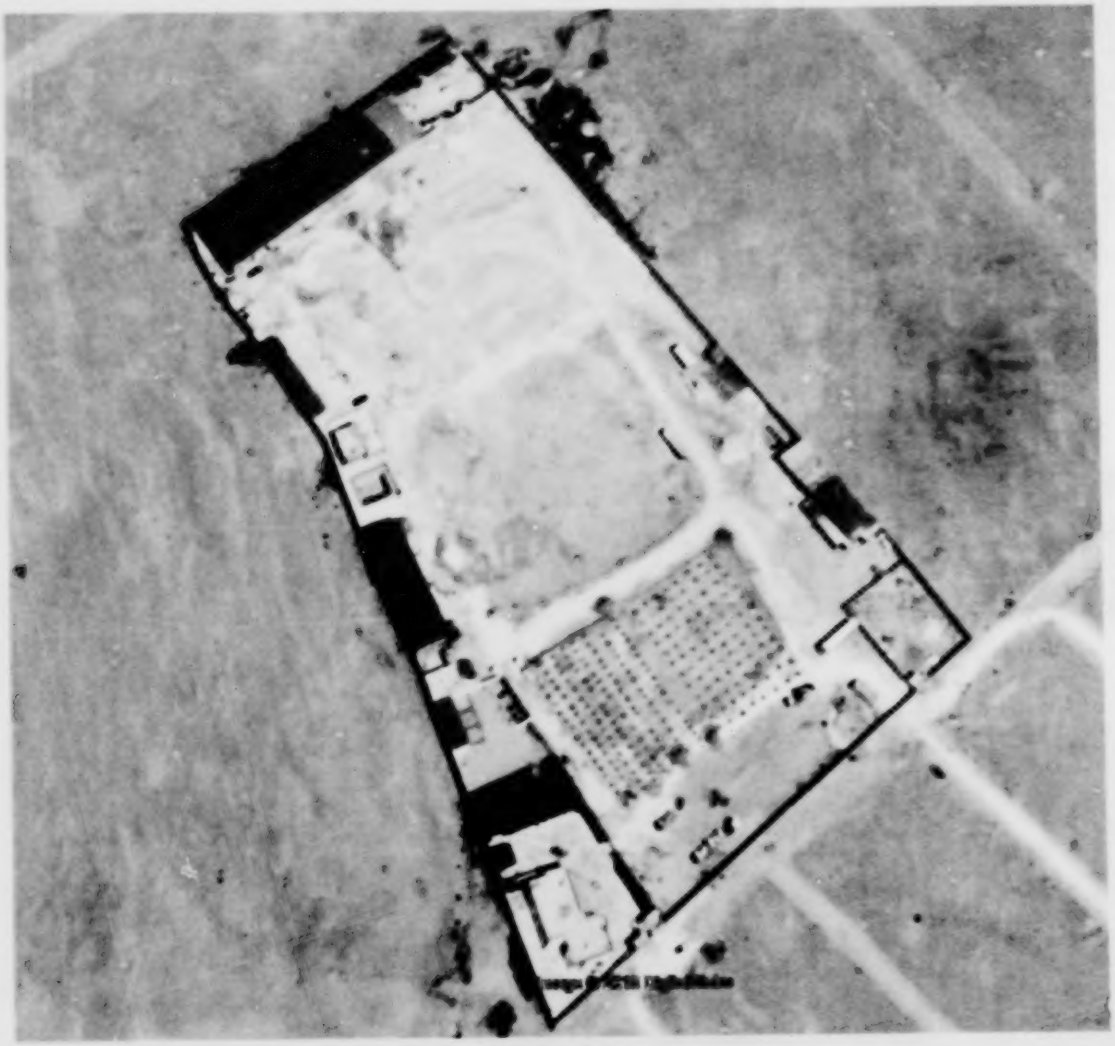
cc:
Libyan Arab Armed Forces General Command (for information)
Military Intelligence Branch - Kufrah (for information)
Archive

Mim/Amid/*mim*/al-Ghazawi – *ta*/*ra ayn waw*/*mim*/Ashim

Source: Confidential (translated by the United Nations)

Annex 20 Premises used to detain and abuse migrants

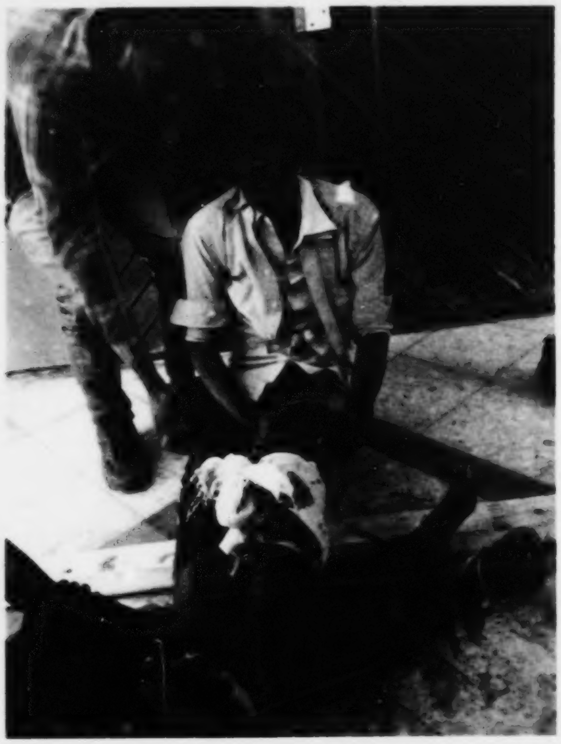
40. Musa's farm in Bani Walid (26 March 2018). Blue roofs are warehouses used for the housing of migrants with capacity estimated to 1,500. Central courtyard is reportedly used for torture. Lower left corner is the network's accomodation. The parked trucks are used for the transportation of migrants to coastal areas.



Source: Google Earth (imagery from 26 March 2018)

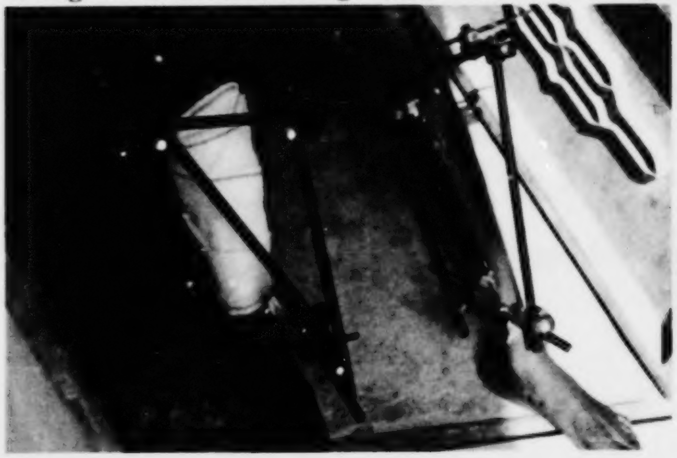
Annex 21 Escape of migrants from the premises on 23 May 2018

An Eritrean migrant bearing bullet wounds in leg.



Source: Confidential. Picture from 23 May 2018

A migrant with broken legs and traces of burning due to torture.



Source: Confidential. Picture from 23 May 2018

A migrant bearing burns and bruises due to torture.

Source: Confidential. Picture from 23 May 2018

Annex 22 El Muktar Annex

41. Examples of the items seized are shown below.

Self contained rocket launch systems

Picture 1 RPG 26

Source: Panel of Experts, September 2017

Picture 2 RPG 27

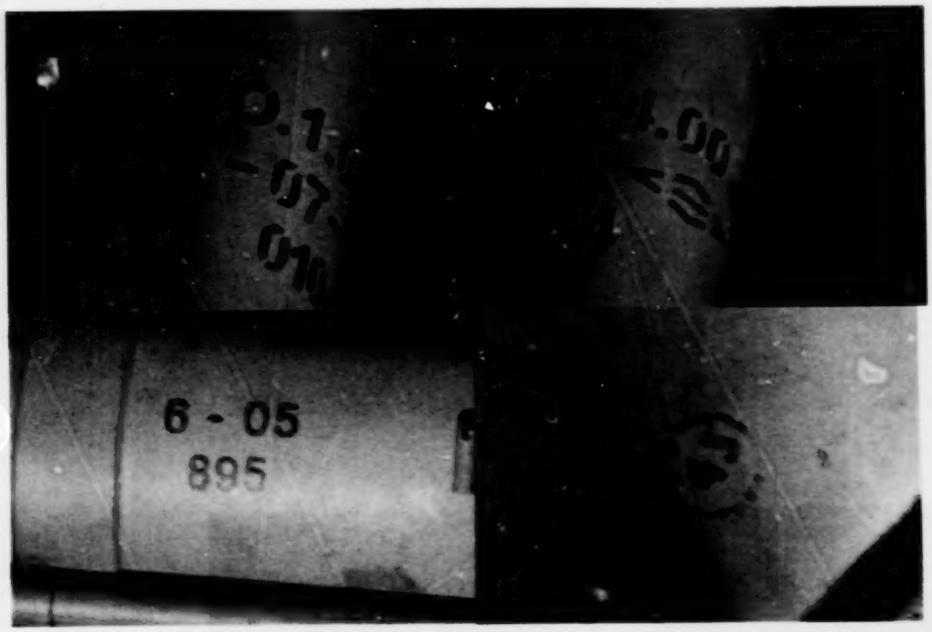
Source: Panel of Experts, September 2017

Picture 3 RPG 27

Source: Panel of Experts, September 2017

42. All three of these items are reported to be products of Joint Stock Company Scientific Production Association Bazalt (JSC SPA Bazalt) however the Russian Federation reports being unable to find further information on the basis of the markings shown. The markings match those on weapons from a separate seizure made under the Yemen sanctions regime. The Panel is investigating the potential for these items to be copies of Russian products made in a third country.

Picture 4 RPO-A Shmel

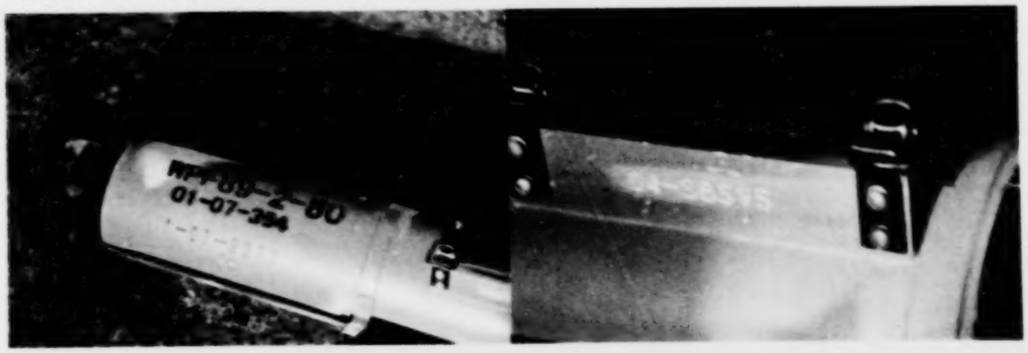


Source: Panel of Experts, September 2017

43. Panel research indicated that the RPO-A Shmel was manufactured by KBP Instrument Design Bureau in Russia. In response to Panel enquiries the Russian Federation has indicated that this device was one of a shipment of 1,000 items which was exported to Libya in 2007.

44. It is worth noting that the RPO-A Shmel is described as a rocket flamethrower and is a thermobaric weapon rather than an anti-tank munition.

Picture 5 WPF 89-2



Source: Panel of Experts, September 2017

45. The WPF 89-2 is another thermobaric weapons system. In response to the Panel's enquiries the People's Republic of China, where the system is manufactured, stated that "no individual Fuel-Air Explosive rocket launcher had ever been exported to Libya" but did not indicate where the system shown above had been exported.

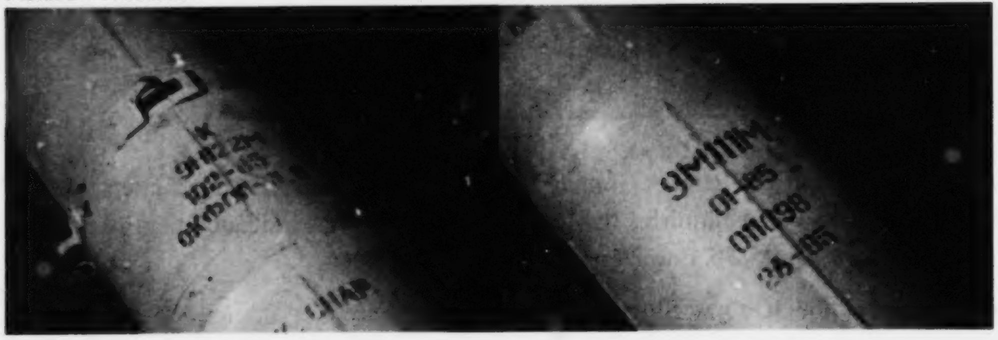
46. This weapon appears to have been part of the same batch as another WPF launcher identified in a Small Arms Survey Report on the Online weapons trade in Libya.[4]

47. The following anti-tank missiles were also identified without their associated launchers.

Picture 6 9M111M

Source: Panel of Experts, September 2017

Picture 7 9M111M



Source: Panel of Experts, September 2017

Photograph 1: 9M113

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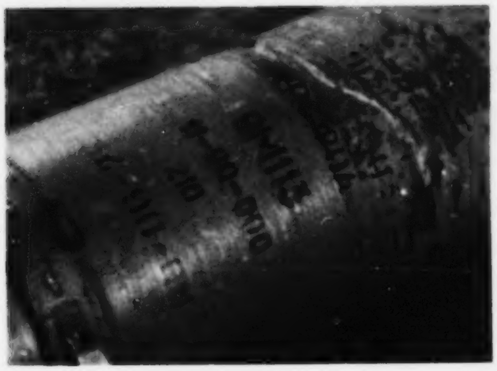
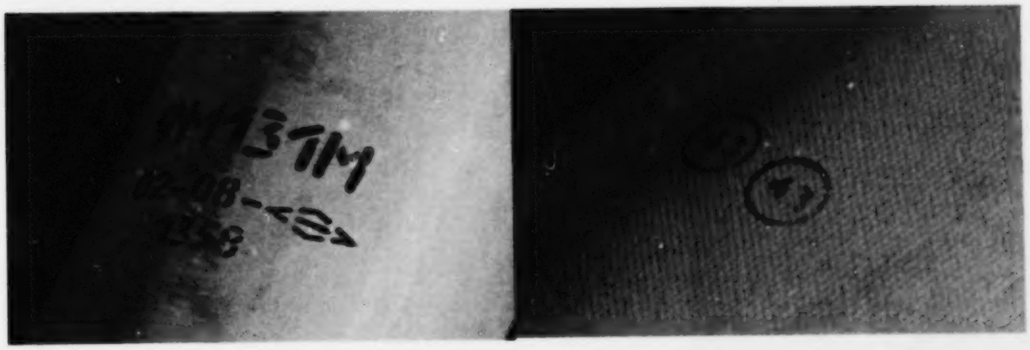
[4] N.R. Jenzen-Jones and Graeme Rice, "The Online Trade of Light Weapons in Libya", Small Arms Survey, Security assessment in North Africa, Dispatch No. 6, April 2016. Available from www.smallarmssurvey.org/de/sana/publications/listed-in-chronological-order/dispatches/sana-dispatch-6.html.



Source: Panel of Experts, September 2017

Photograph 2: 9M131M



Source: Panel of Experts, September 2017

48. The 9M111M, 9M113 and 9M131 are all reported to be products of the KBP Instrument Design Bureau in Russia. Panel enquiries with the Russian Federation indicated that the 9M131M number 1358 was exported to Libya in 2008 as part of a shipment of 500 such items.

49. The 9M111M also appears to be from the same batch as one shown ina report on the online weapons trade in Libya[5].

Launched anti-tank rounds

Photograph 3: OG-9 recoilless rifle

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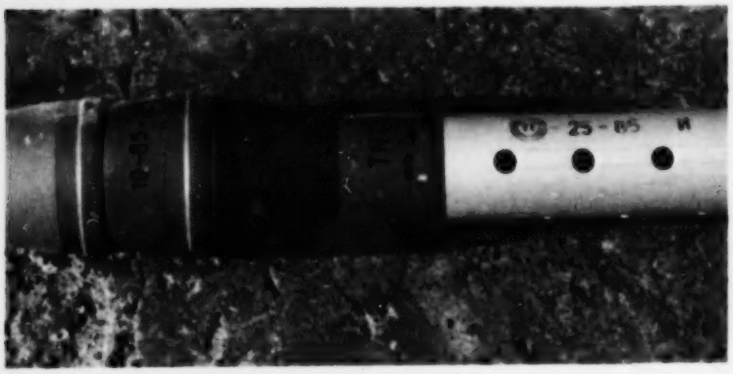
[5] Ibid.

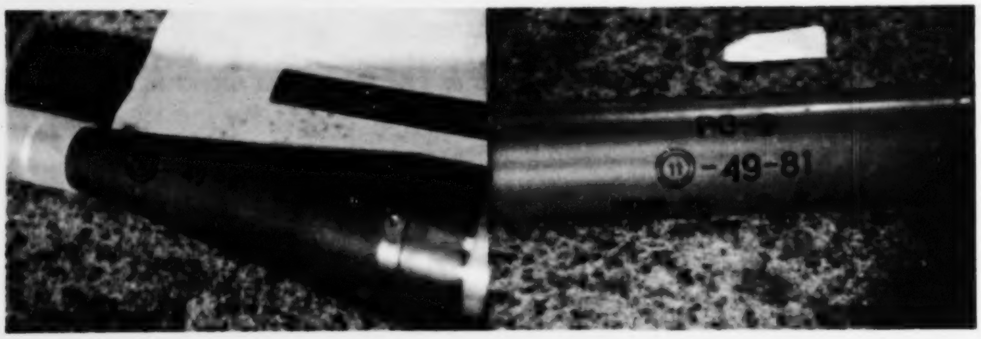


Source: Panel of Experts, September 2017

Photograph 4: OG-7VMZ 40mm fragmentation round

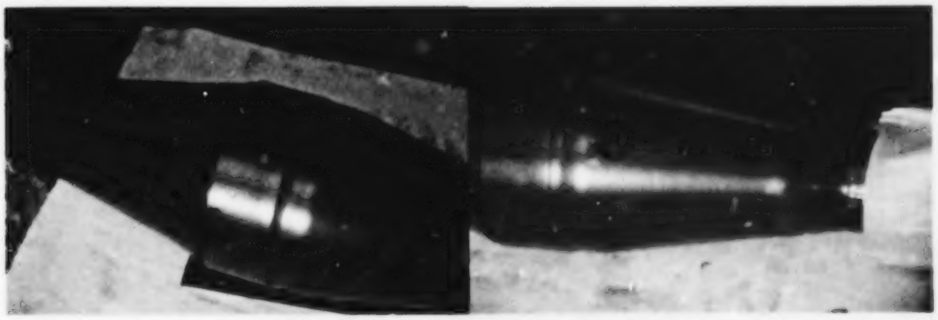
Source: Panel of Experts, September 2017

Photograph 5: PG-9 recoilless rifle round



Source: Panel of Experts, September 2017

Photograph 6: PG-7 round



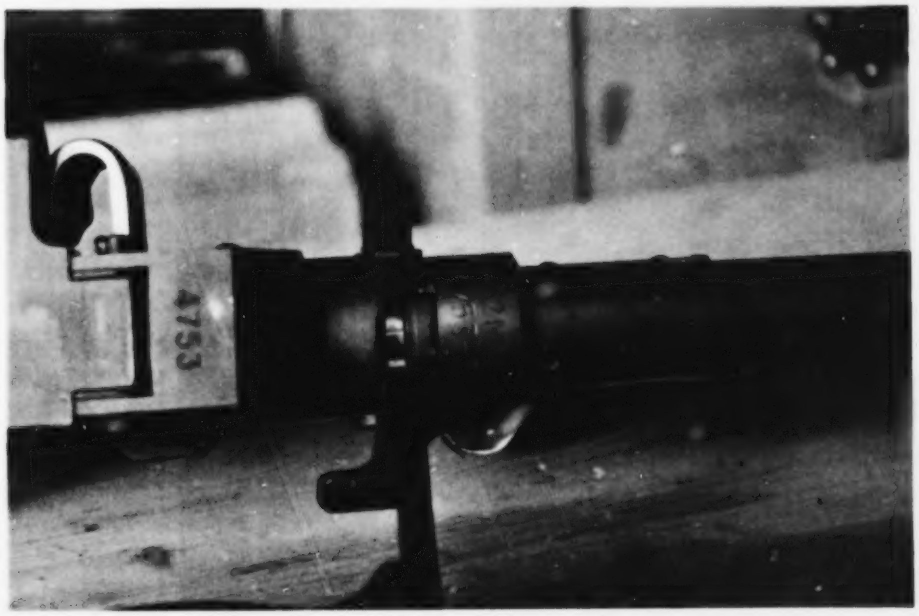
Source: Panel of Experts, September 2017

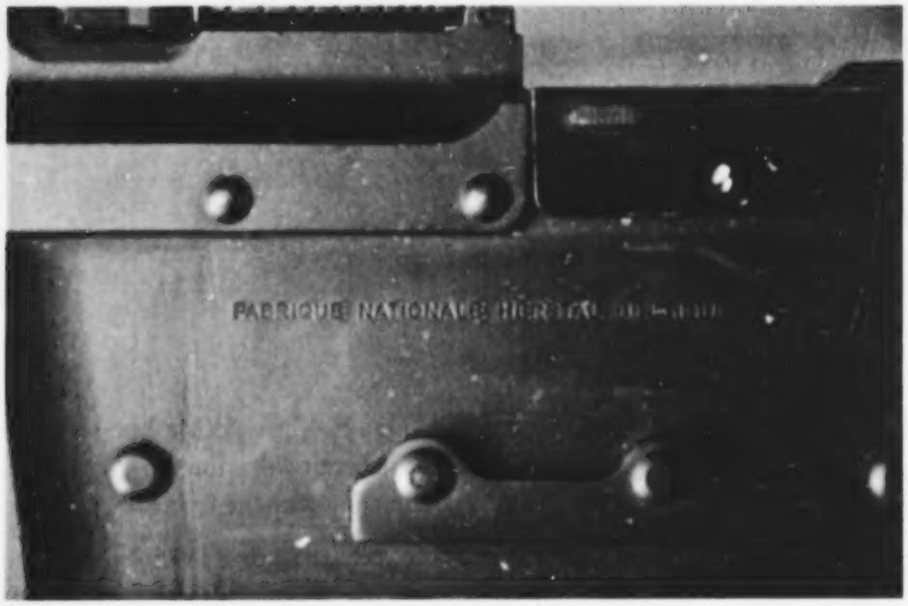
50. Panel research suggested that all of these items were manufactured by Vasovski Mashinostroitelni Zavodi EAD in Bulgaria. Bulgaria has responded to Panel enquiries indicating that the OG-7VMZ was not produced by VMZ JSCo and no items were produced by that company with the lot number shown.

51. The other munitions were all manufactured in Bulgaria between 1980 and 1985 however no records for the exports have been kept as Bulgarian law only requires companies to maintain records for 10 years. This does however suggest that the original export took place before 2011 although it cannot be confirmed that the items entered Libya before that time.

7.62 MAG general purpose machine gun

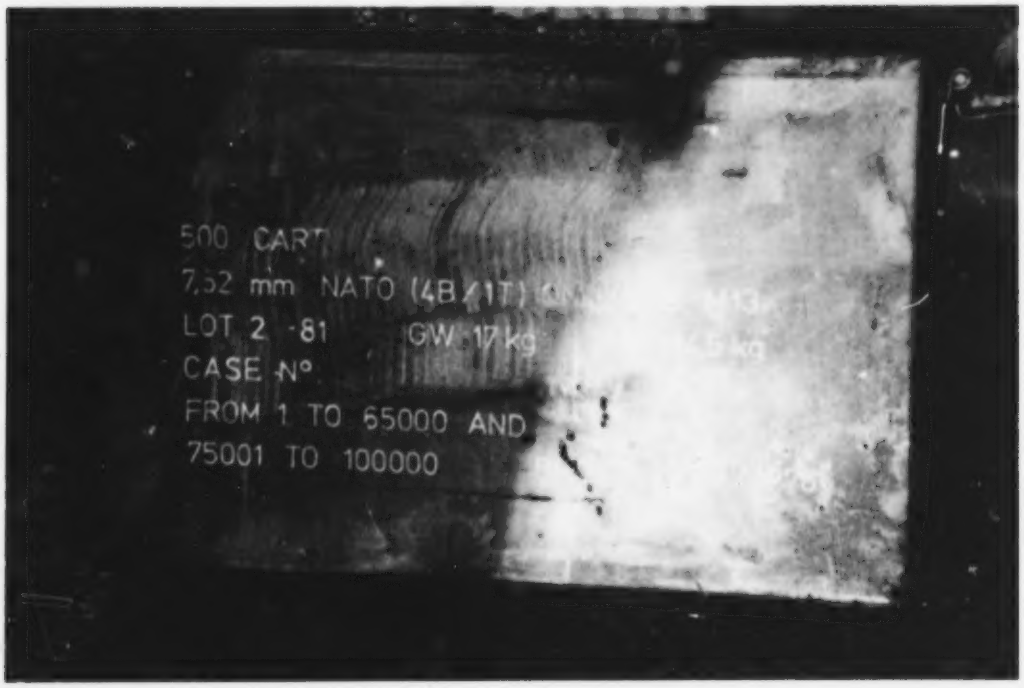
Photograph 7: 7.62 MAG general purpose machine gun





Source: Panel of Experts, September 2017

Photograph 8: 7.62 ammunition



Source: Panel of Experts, September 2017

52. The markings on both the machinegun and ammunition indicate that they were manufactured by Fabrique National d'Herstal (FN Herstal) manufactured by in Belgium. The Belgian authorities have

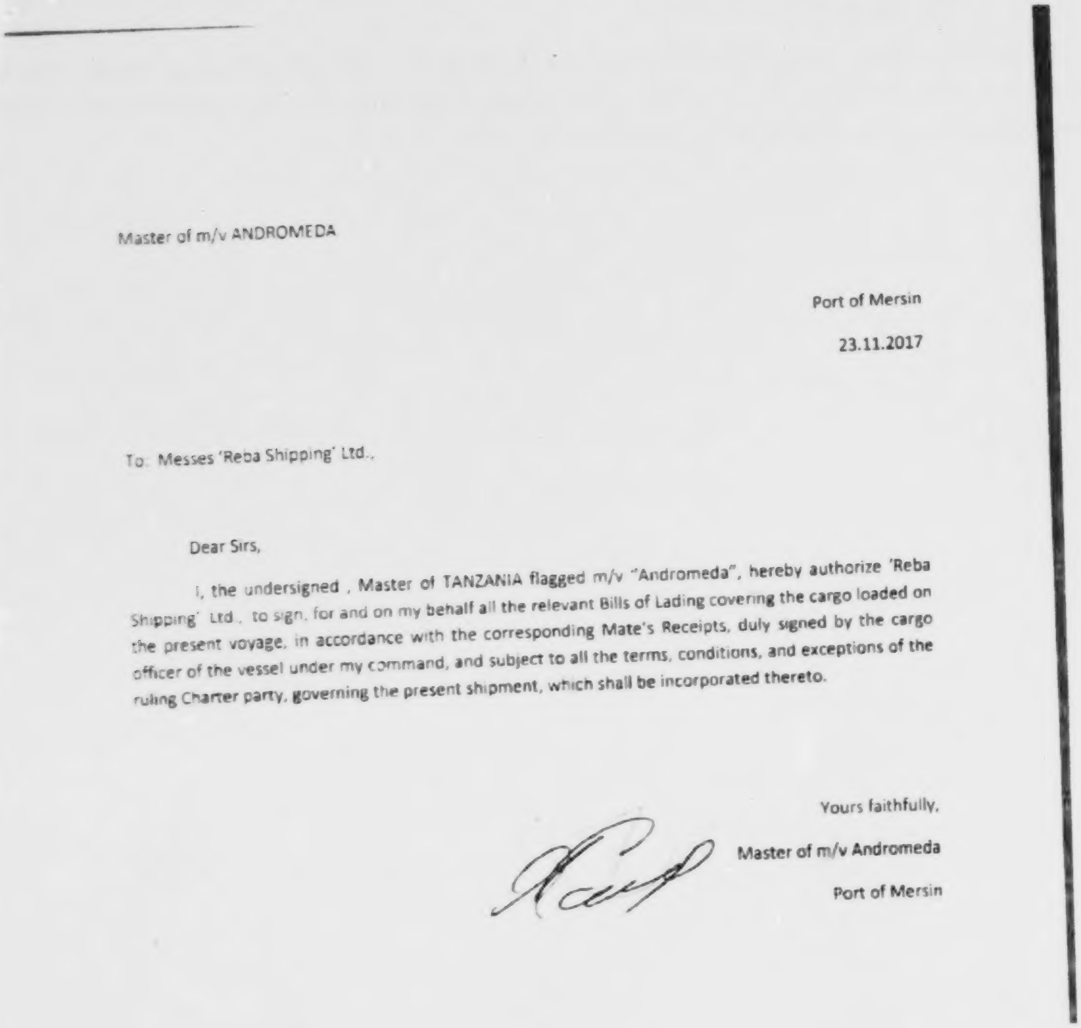
indicated that the ammunition was manufactured in 1981; however, they no longer have the ammunition archives. The machine gun was part of a shipment exported to Libya on 13 January 1976.

53. In addition to these items the seizure also included a complete 60mm mortar system (including range card), a 12.7mm Heavy Machine Gun, 3 assault rifles, magazines, mortar fuses, propelling charges and various calibres of ammunition.

54. The replies to Panel enquiries received so far indicate that at least part of this shipment originated from former regime stockpiles however the apparent lack of exports of WPF-2 launchers may indicate that some elements of the shipment entered Libya after 2011.

Annex 23 MV Andromeda relevant shipping documents

55. The Bill of Lading was signed by the freight handler Reba Shipping Ltd. in Mersin. It had received the authorization to sign cargo documents by the master of the MV Andromeda:



Master of m/v ANDROMEDA

Port of Mersin
23.11.2017

To: Messes 'Reba Shipping' Ltd.,

Dear Sirs,

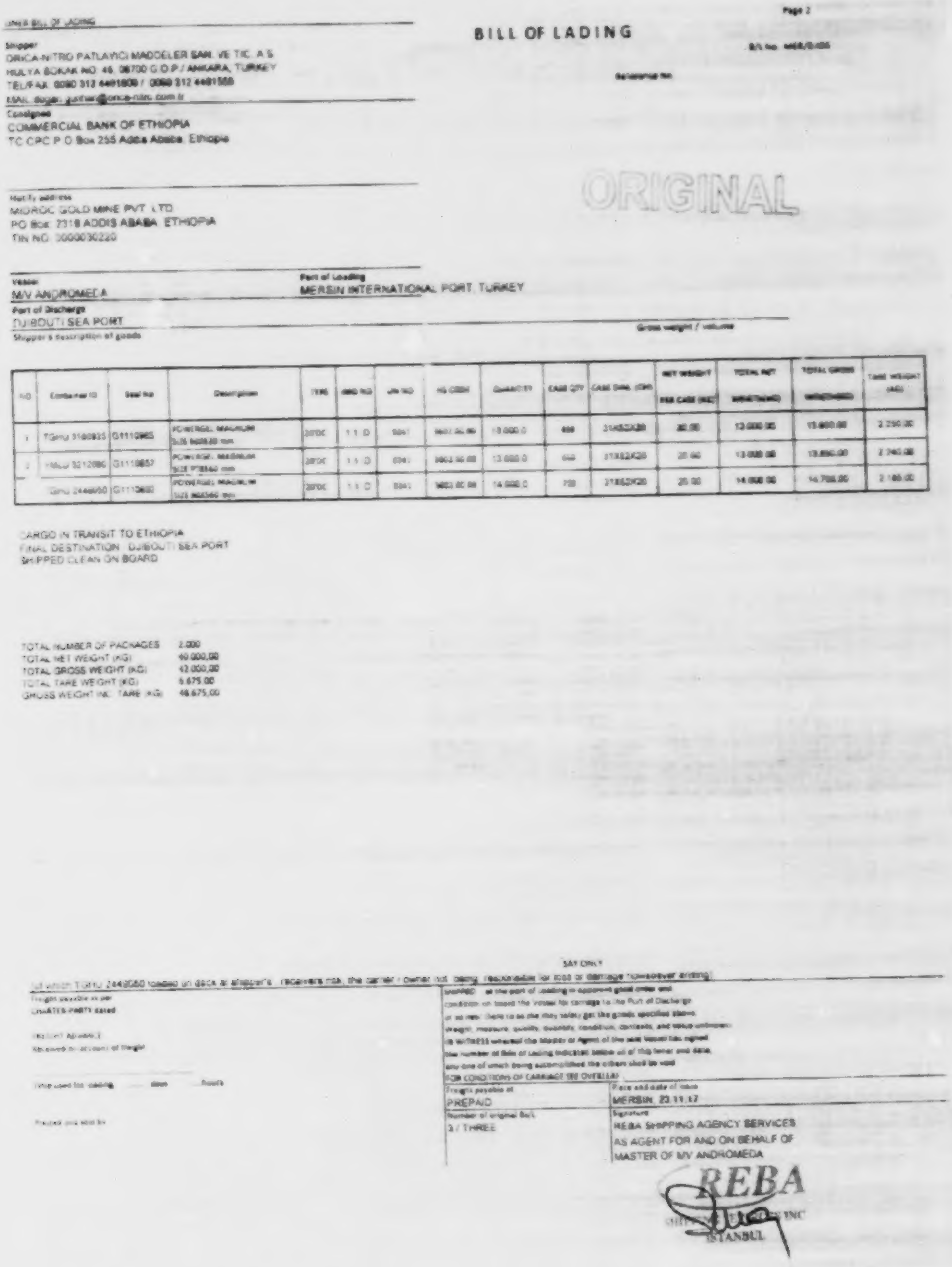
I, the undersigned , Master of TANZANIA flagged m/v "Andromeda", hereby authorize 'Reba Shipping' Ltd., to sign, for and on my behalf all the relevant Bills of Lading covering the cargo loaded on the present voyage, in accordance with the corresponding Mate's Receipts, duly signed by the cargo officer of the vessel under my command, and subject to all the terms, conditions, and exceptions of the ruling Charter party, governing the present shipment, which shall be incorporated thereto.

Yours faithfully,
Master of m/v Andromeda
Port of Mersin

Source: Confidential

2. Armada in Istanbul (agent) was the freight agent for Orica Nitro (seller). It brokered the freight contract for Orica Nitro with Andromeda Shipmanagement A.S. (carrier) and Navi Trade Shipping Agency, alias Contchart Commodities Ltd, Lebanon (charterer):

Copy of one of the original Bills of Lading mentioning that the freight was prepaid:



Page 2

BILL OF LADING

Shipper
ORICA-NITRO PATLAYICI MADDELER SAN. VE TIC. A.S.
HULYA SOKAK NO. 46, 06700 G.O.P./ ANKARA, TURKEY
TEL/FAX: 0090 312 4461800 / 0090 312 4461550

Consignee
COMMERCIAL BANK OF ETHIOPIA
TC CPC P.O Box 255 Addis Ababa, Ethiopia

ORIGINAL

Notify address
MIDROC GOLD MINE PVT. LTD
PO Box 7318 ADDIS ABABA, ETHIOPIA
TIN NO. 0000030220

Vessel
M/V ANDROMEDA

Port of Loading
MERSIN INTERNATIONAL PORT, TURKEY

Port of Discharge
DJIBOUTI SEA PORT

Gross weight / volume

[illegible]	Container ID	[illegible]	Description	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	CASE QTY	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1	TGHU 3160835	G1110965	POWERGEL MAGNUM [illegible]	20'DC	1.1 D	0241	[illegible]	13.000,0	[illegible]	31X52X20	20.00	13.000.00	[illegible]	2.250.00
2	[illegible]	G1110857	POWERGEL MAGNUM [illegible]	20'DC	1.1 D	0241	[illegible]	13.000,0	[illegible]	31X52X20	20.00	13.000.00	[illegible]	2.240.00
[illegible]	TGHU 2448050	G1110860	POWERGEL MAGNUM [illegible]	20'DC	1.1 D	0241	[illegible]	14.000,0	700	31X52X20	20.00	14.000.00	14.700.00	2.185.00

CARGO IN TRANSIT TO ETHIOPIA
FINAL DESTINATION : DJIBOUTI SEA PORT
SHIPPED CLEAN ON BOARD

TOTAL NUMBER OF PACKAGES	2.000
TOTAL NET WEIGHT (KG)	40.000,00
TOTAL GROSS WEIGHT (KG)	42.000,00
TOTAL TARE WEIGHT (KG)	6.675,00
GROSS WEIGHT INC. TARE (KG)	48.675,00

SAY ONLY

[illegible] TGHU 2443080 loaded on deck at shipper's / receivers risk, the carrier / owner not being responsible for loss or damage howsoever arising

Freight payable as per
CHARTER-PARTY dated

Time used for loading ..... days ..... hours

SHIPPED at the port of Loading in apparent good order and condition on board the Vessel for carriage to the Port of Discharge [illegible]
FOR CONDITIONS OF CARRIAGE SEE OVERLEAF

Freight payable at
PREPAID

Place and date of issue
MERSIN, 23.11.17

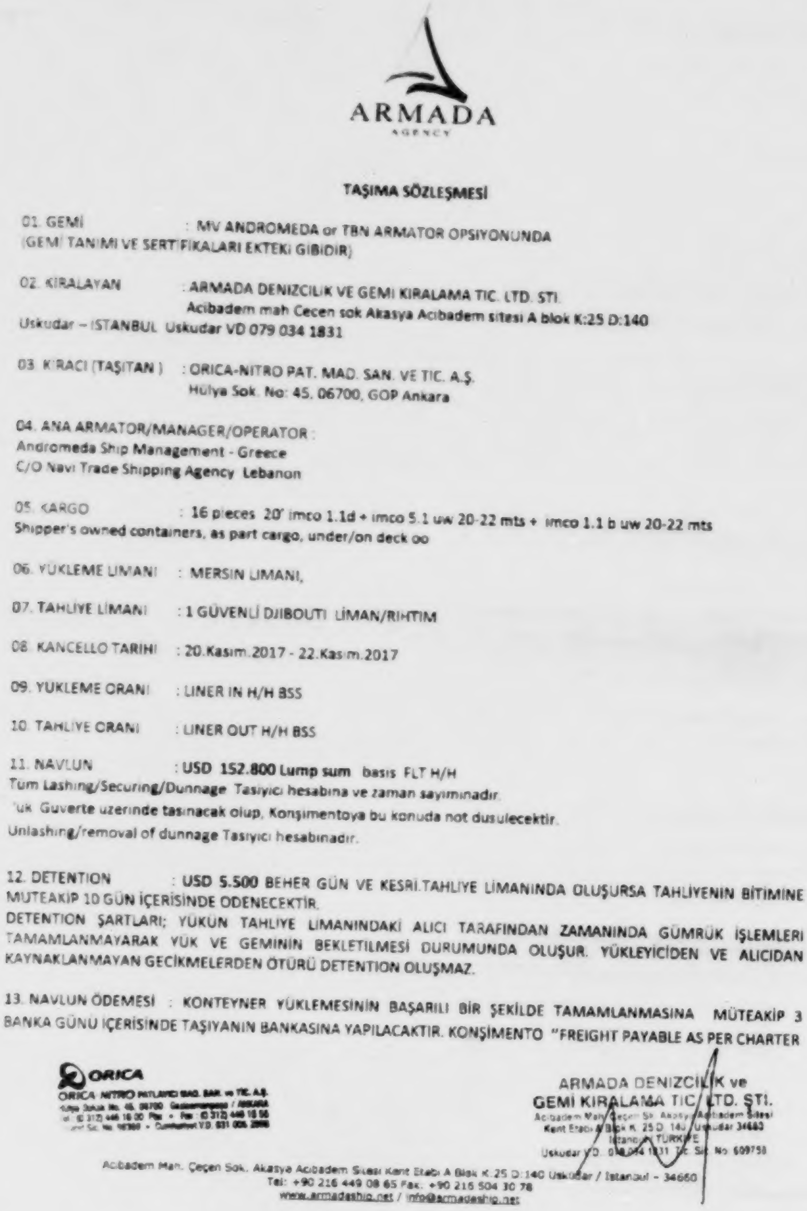
Number of original B/L
3 / THREE

Signature
REBA SHIPPING AGENCY SERVICES
AS AGENT FOR AND ON BEHALF OF
MASTER OF MV ANDROMEDA

REBA
SHIPPING AGENCY INC
ISTANBUL

Source: Confidential

Copy of the freight contract by Armada Ltd:



ARMADA
AGENCY

TAŞIMA SÖZLEŞMESİ

01. GEMİ : MV ANDROMEDA or TBN ARMATOR OPSIYONUNDA
(GEMİ TANIMI VE SERTIFIKALARI EKTEKI GIBIDIR)

02. KIRALAYAN : ARMADA DENIZCILIK VE GEMI KIRALAMA TIC. LTD. STI.
Acibadem mah Cecen sok Akasya Acıbadem sitesi A blok K:25 D:140
Uskudar – ISTANBUL Uskudar VD 079 034 1831

03. KIRACI (TAŞITAN) : ORICA-NITRO PAT. MAD. SAN. VE TIC. A.Ş.
Hülya Sok. No: 45, 06700, GOP Ankara

04. ANA ARMATOR/MANAGER/OPERATOR :
Andromeda Ship Management - Greece
C/O Navi Trade Shipping Agency Lebanon

05. KARGO : 16 pieces 20' imco 1.1d + imco 5.1 uw 20-22 mts + imco 1.1 b uw 20-22 mts
Shipper's owned containers, as part cargo, under/on deck oo

06. YUKLEME LIMANI : MERSIN LIMANI,

07. TAHLIYE LİMANI : 1 GÜVENLİ DJIBOUTI LİMAN/RIHTIM

08. KANCELLO TARIHI : 20.Kasım.2017 - 22.Kasım.2017

09. YUKLEME ORANI : LINER IN H/H BSS

10. TAHLIYE ORANI : LINER OUT H/H BSS

11. NAVLUN : USD 152.800 Lump sum basis FLT H/H
Tum Lashing/Securing/Dunnage Tasıyıcı hesabına ve zaman sayımınadır.
Yük Guverte uzerinde tasınacak olup, Konşimentoya bu konuda not dusulecektir.
Unlashing/removal of dunnage Tasıyıcı hesabınadır.

12. DETENTION : USD 5.500 BEHER GÜN VE KESRİ.TAHLIYE LİMANINDA OLUŞURSA TAHLİYENIN BİTIMINE MUTEAKIP 10 GÜN İÇERİSİNDE ODENECEKTİR.
DETENTION ŞARTLARI; YÜKÜN TAHLIYE LIMANINDAKİ ALICI TARAFINDAN ZAMANINDA GÜMRÜK İŞLEMLERI TAMAMLANMAYARAK YÜK VE GEMININ BEKLETILMESİ DURUMUNDA OLUŞUR. YÜKLEYİCİDEN VE ALICIDAN KAYNAKLANMAYAN GECİKMELERDEN ÖTÜRÜ DETENTION OLUŞMAZ.

13. NAVLUN ÖDEMESİ : KONTEYNER YÜKLEMESİNİN BAŞARILI BİR ŞEKİLDE TAMAMLANMASINA MÜTEAKİP 3 BANKA GÜNÜ İÇERİSİNDE TAŞIYANIN BANKASINA YAPILACAKTIR. KONŞİMENTO "FREIGHT PAYABLE AS PER CHARTER

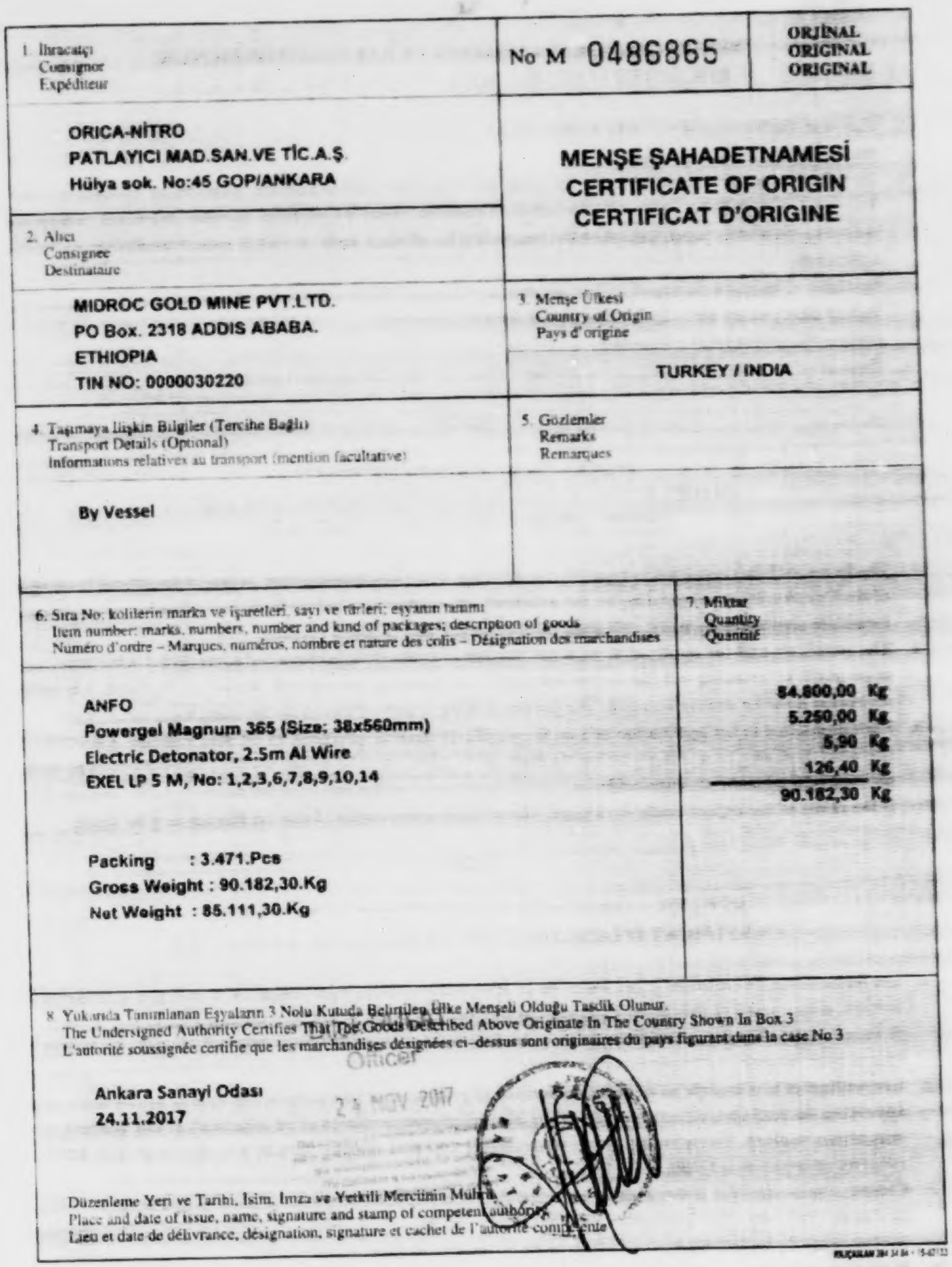
ORICA
ORICA NITRO PATLAYICI MAD. SAN. ve TIC. A.Ş.

ARMADA DENIZCILIK ve
GEMİ KIRALAMA TIC. LTD. ŞTI.
Acıbadem Mah. Çeçen Sk. Akasya Acıbadem Sitesi
Kent Etabı A Blok K. 25 D. 140 Uskudar 34660
İstanbul TÜRKİYE
Uskudar V.D. 079 034 1831 Tic. Sic. No. 609758

Acıbadem Mah. Çeçen Sok. Akasya Acıbadem Sitesi Kent Etabı A Blok K:25 D:140 Usküdar / İstanbul – 34660
Tel: +90 216 449 08 65 Fax: +90 216 504 30 78
www.armadaship.net / info@armadaship.net

Source: Confidential

Copy of the certificate of origin for the export license:



1. İhracatçı
Consignor
Expéditeur

No M 0486865

ORJİNAL
ORIGINAL
ORIGINAL

ORICA-NİTRO
PATLAYICI MAD.SAN.VE TİC.A.Ş.
Hülya sok. No:45 GOP/ANKARA

MENŞE ŞAHADETNAMESİ
CERTIFICATE OF ORIGIN
CERTIFICAT D'ORIGINE

2. Alıcı
Consignee
Destinataire

MIDROC GOLD MINE PVT.LTD.
PO Box. 2318 ADDIS ABABA.
ETHIOPIA
TIN NO: 0000030220

3. Menşe Ülkesi
Country of Origin
Pays d'origine

TURKEY / INDIA

4. Taşımaya İlişkin Bilgiler (Tercihe Bağlı)
Transport Details (Optional)
Informations relatives au transport (mention facultative)

By Vessel

5. Gözlemler
Remarks
Remarques

6. Sıra No: kolilerin marka ve işaretleri, sayı ve türleri; eşyanın tanımı Item number: marks, numbers, number and kind of packages; description of goods Numéro d'ordre – Marques, numéros, nombre et nature des colis – Désignation des marchandises	7. Miktar Quantity Quantité
ANFO	**84.800,00 Kg**
Powergel Magnum 365 (Size: 38x560mm)	**5.250,00 Kg**
Electric Detonator, 2.5m Al Wire	**5,90 Kg**
EXEL LP 5 M, No: 1,2,3,6,7,8,9,10,14	**126,40 Kg**
	90.182,30 Kg

Packing : 3.471.Pcs
Gross Weight : 90.182,30.Kg
Net Weight : 85.111,30.Kg

8. Yukarıda Tanımlanan Eşyaların 3 Nolu Kutuda Belirtilen Ülke Menşeli Olduğu Tasdik Olunur.
The Undersigned Authority Certifies That The Goods Described Above Originate In The Country Shown In Box 3
L'autorité soussignée certifie que les marchandises désignées ci-dessus sont originaires du pays figurant dans la case No 3

Officer

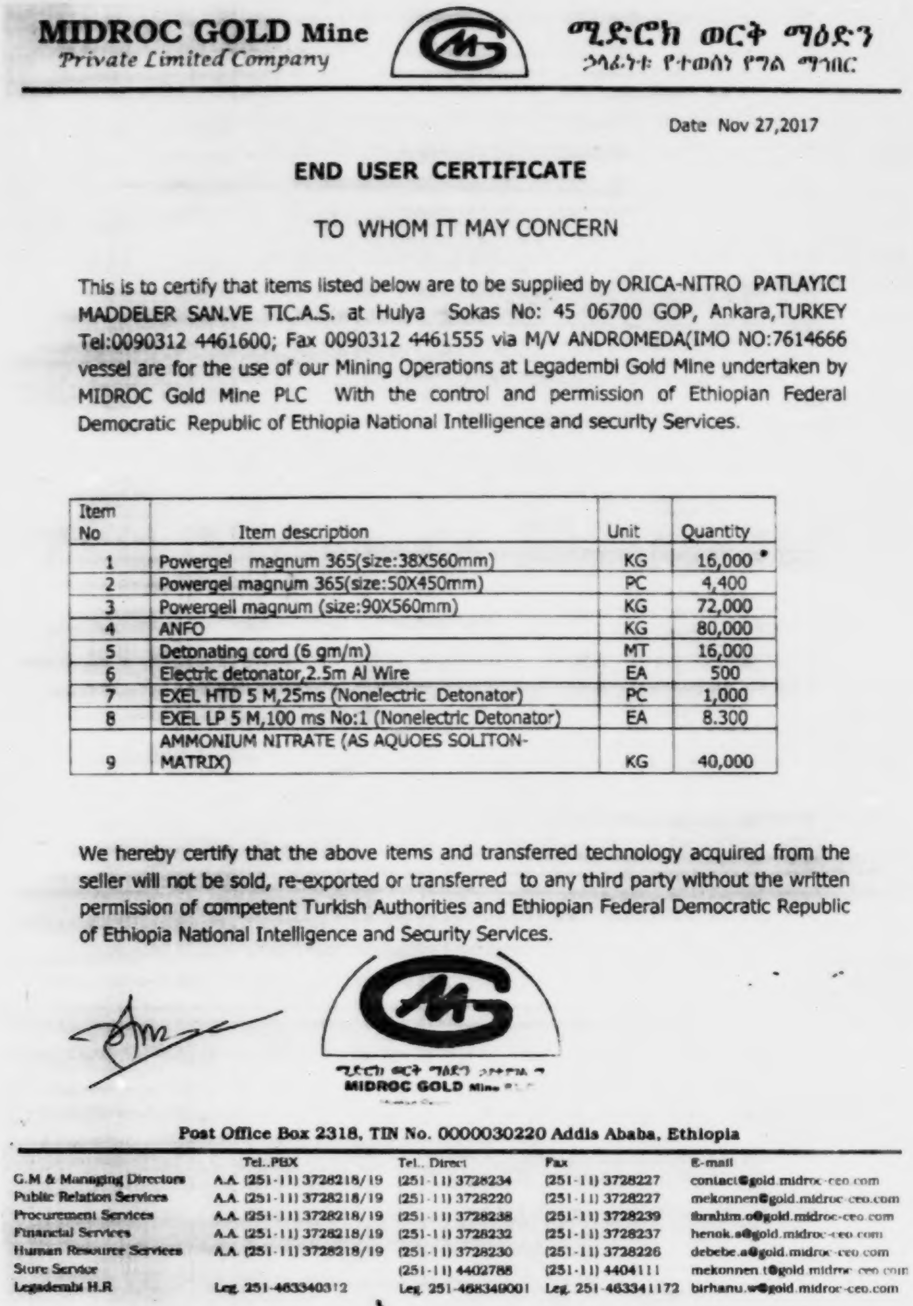
Ankara Sanayi Odası
24.11.2017

24 NOV 2017

Düzenleme Yeri ve Tarihi, İsim, İmza ve Yetkili Merciinin Mührü
Place and date of issue, name, signature and stamp of competent authority
Lieu et date de délivrance, désignation, signature et cachet de l'autorité compétente

Source: Confidential

Copy of the end user certificate:



MIDROC GOLD Mine
Private Limited Company
ሚድሮክ ወርቅ ማዕድን
ኃላፊነቱ የተወሰነ የግል ማኅበር

Date Nov 27,2017

END USER CERTIFICATE

TO WHOM IT MAY CONCERN

This is to certify that items listed below are to be supplied by ORICA-NITRO PATLAYICI MADDELER SAN.VE TIC.A.S. at Hulya Sokas No: 45 06700 GOP, Ankara,TURKEY Tel:0090312 4461600; Fax 0090312 4461555 via M/V ANDROMEDA(IMO NO:7614666 vessel are for the use of our Mining Operations at Legadembi Gold Mine undertaken by MIDROC Gold Mine PLC With the control and permission of Ethiopian Federal Democratic Republic of Ethiopia National Intelligence and security Services.

Item No	Item description	Unit	Quantity
1	Powergel magnum 365(size:38X560mm)	KG	16,000
2	Powergel magnum 365(size:50X450mm)	PC	4,400
3	Powergell magnum (size:90X560mm)	KG	72,000
4	ANFO	KG	80,000
5	Detonating cord (6 gm/m)	MT	16,000
6	Electric detonator,2.5m Al Wire	EA	500
7	EXEL HTD 5 M,25ms (Nonelectric Detonator)	PC	1,000
8	EXEL LP 5 M,100 ms No:1 (Nonelectric Detonator)	EA	8.300
9	AMMONIUM NITRATE (AS AQUOES SOLITON-MATRIX)	KG	40,000

We hereby certify that the above items and transferred technology acquired from the seller will not be sold, re-exported or transferred to any third party without the written permission of competent Turkish Authorities and Ethiopian Federal Democratic Republic of Ethiopia National Intelligence and Security Services.

MIDROC GOLD Mine

Post Office Box 2318, TIN No. 0000030220 Addis Ababa, Ethiopia

	Tel..PBX	Tel.. Direct	Fax	E-mail
G.M & Managing Directors	A.A. (251-11) 3728218/19	(251-11) 3728234	(251-11) 3728227	contact@gold.midroc-ceo.com
Public Relation Services	A.A. (251-11) 3728218/19	(251-11) 3728220	(251-11) 3728227	mekonnen@gold.midroc-ceo.com
Procurement Services	A.A. (251-11) 3728218/19	(251-11) 3728238	(251-11) 3728239	ibrahim.o@gold.midroc-ceo.com
Financial Services	A.A. (251-11) 3728218/19	(251-11) 3728232	(251-11) 3728237	henok.a@gold.midroc-ceo.com
Human Resource Services	A.A. (251-11) 3728218/19	(251-11) 3728230	(251-11) 3728226	debebe.a@gold.midroc-ceo.com
Store Service		(251-11) 4402788	(251-11) 4404111	mekonnen.t@gold.midroc-ceo.com
Legadembi H.R	Leg. 251-463340312	Leg. 251-468349001	Leg. 251-463341172	birhanu.w@gold.midroc-ceo.com

Source: Confidential

Copy of the contract between Orica Nitro and the Ethiopian buyer:

SALES CONTRACT

DATE: 08.10.2015, No:P-15.10/323

THIS AGREEMENT MADE AND ENTERED INTO ON 30 October 2015 BY AND BETWEEN:

ORICA-NITRO PATLAYICI MADDELER SAN. Ve TIC. A.S.
ADDRESS: Hulya Sok. No: 45 06700 G.O.P. ANKARA-TURKEY
Phone/Fax: 00903124461600/4461555
Email: dogan.gunhan@orica-nitro.com.tr
Represented By: Hidayet OSMANOĞLU, Sales And Marketing Coordinator
(Hereinafter called "The Seller")

and

MIDROC GOLD MINE PVT. LTD.
located at PO Box: 2318 ADDIS ABABA, ETHIOPIA
Phone/Fax: 00251 113728239 / 251 113728241
Email: foreign.p@gold.midroc-ceo.com
Represented By: Dr. Arega YIRDAW, General Manager And CEO
(Hereinafter called "The Buyer")

Whereas,

The Buyer and The Seller confirm that each is fully empowered, legally qualified, and duly authorized to execute and deliver this document, and to be bound by its terms and conditions.

Whereas,

The Buyer and The Seller have by mutual request to each other reached agreement for the purchase and sale of specified Products in consideration of the representations, warranties, covenants and agreements made by and between the parties. It is hereby agreed that the Buyer and Seller shall proceed to execute the following terms and conditions.

1. DEFINITIONS

"Parties"	: Collectively Buyer and Seller
"Explosives"	: Commercial Explosives and Blasting Accessories manufactured and/or supplied by the Seller
"Emulsion"	: Subtek Velcro Brand Emulsion Manufactured and/or supplied by the Seller
"Charging Unit"	: Underground Charging Unit - UGS328 Maxipump
"Products"	: Collectively Explosives, Emulsion and Charging Unit
"PO"	: Purchase Order issued by the Buyer
"IBC"	: Intermediate Bulk Carrier with Pallet and Metal Protection Frame

MIDROC GOLD Mine P.L.C.

ORICA
ORICA NITRO PATLAYICI MAD. SAN. ve TIC. A.S.
ANKARA TURKIYE

"Site"	Underground Mine owned and operated by the Buyer in Ethiopia
"Facility"	Production Plants of the Seller located in Ankara, Turkey

2. SCOPE

The scope of this Contract is to define all aspects of supplying Explosives, Emulsion and Charging Unit to the Buyer including sales terms, delivery, payment, guarantee and commissioning terms.

3. PRODUCTS

The Term Products refers to Explosives, Emulsion and Charging Unit collectively with details provided at *Appendix A*.

4. QUANTITY

4.1. The Buyer guarantees to buy 1.500 (OneThousandFiveHundred) tons of Emulsion in 3 years. Each year 500 (FiveHundred) tons of Emulsion will be delivered unless *a FORCE Majeure condition does not occur as per Clause 12*.

4.2. The quantity of Explosives and Accessories, provided at *Appendix A*, is indicative potential requirement by the buyer. Actual purchase quantity will be decided by the buyer based on the needs of the operation and ordered from the Seller.

4.3. The quantity of Charging Unit is 1 (one).

5. DELIVERY

5.1. Delivery Terms of the Products is *CFR Djibouti Port*.

5.2. The Buyer is responsible for the collection of Products from the customs with all legal import permits and permissions from the relevant authorities.

5.3. All duties, import tax, discharging port fees, inland transportation cost and related safety measurements in Ethiopia shall be followed by the Buyer.

6. SHIPMENT

6.1. Emulsion will be shipped with Partial Orders. The Buyer shall send PO for each partial shipment.
The quantity of each partial shipment will be agreed by both parties.

The Emulsion will be shipped by 20'DC and/or 40'DC standard containers as stuffed in IBC (Intermediate Bulk Carrier) as 800 Kg. to 1.000 Kg. per IBC depending on the density of the Emulsion.

Each 20'DC shall be stuffed with 16 to 20 pieces of IBC.

MIDROC GOLD Mine P.L.C.

ORICA
ORICA [illegible] ANKARA TURKIYE
Tel: (0312) [illegible]
Cumhuriyet V.D. [illegible]

Source: Confidential

Annex 24 MV Andromeda timeline and route

1. Vessel information:

Ship Name **ANDROMEDA**	Shiptype **General Cargo Ship**
IMO/LR No. **7614666**	Gross **1,590**
Call Sign **5IM702**	Deadweight **2,155**
MMSI No. Year of Build **1979**	Flag **Tanzania (Zanzibar)**
Status **In Service/Commission**	Operator **Andromeda Shipmanagement SA**

2. The analysis of the course taken by the MV *Andromeda* provides no substantial evidence that the vessel was heading to Libya. To appreciate the case, it is helpful to superimpose two sets of communication on the route taken by the vessel: First, the commercial dispute between the freight agents and the vessel manager; Second, the exchange between Andromeda managers and business associates with port agents. Copies of the emails are stored in the Panel's archives.

3. Different phases can be distinguished:

1. Loading of the cargo and sailing to Port Said anchorage to cross the Suez Canal.
2. Sailing to Larnaca and Limassol, Cyprus, and drifting.
3. Return to Port Said anchorage.
4. Sailing away from Port Said towards Crete due to bad weather condition.
5. Sailing in direction to bay of Kalamata.
6. Sailing towards Heraklion, Crete, to avoid bad weather and seizure.

Table: The timeline compiles two types of data: First it retraces the main itinerary taken by the MV *Andromeda*; Second, it places against it the communication between the parties involved in the shipment's logistics.

Date	**Event data**	**Sender/ Source**	**Summary**
17 Nov 2017	**Position**	Log book	Arrival Iskanderun
18 Nov 2017	**Position**	Log book	Loading of gas tanks; Departure
19 Nov 2017	**Position**	Log book	Mersin port; Loading and paperwork starts
23 Nov 2017	**Position**	Log book	Departure; sailing to Port Said
25 Nov 2017	**Position**	Log Book	Anchorage Port Said
26 Nov 2017	Email	Andromeda management	Andromeda Shipmanagement copies all parties concerned claiming that the Bill of

			Lading is fraudulent. Complains that Suez Canal fees not paid.
30 Nov 2017	Email	Andromeda management	Vessel manager claims that the ship's master was not in a position to authorize the freight handler, Reba, at Mersin port. Asks for new Bill of Lading.
	Email	Charterer's lawyer	Suez Canal fees will be paid after Andromeda shows proof of insurance (P&I) for Red Sea.
2 Dec 2017	**Position**	Log book	MV sailing to Larnaca, Cyprus
5 Dec	**Position**	Log Book	MV drifting offshore Limassol, Cyprus
	Email	Andromeda management	Exchange with Cyprus port authority
6 Dec 2017	Email	Charterer	Confirming payment of freight to account of Destel
8 Dec 2017	Email	Lawyer Hamburg	Stressing that they need a proof that Orica Nitro made a loss (material). This would be the only way to get an arrest warrant in Cyprus.
	Position	Log book	Andromeda leaves Limassol anchorage sails to Port Said
	Email	Andromeda management	Confirming receipt of USD 58,581.95; Claiming freight and costs still shortpaid.
9 Dec 2017	Email	Suez Canal	Awaiting payment of canal fees
14 Dec 2017	Email	Andromeda management	Requests warehousing for 10 day transit of all cargo at Misrata port
	Position	Log book	Anchorage Port Said
15 Dec 2017	**Position**	Log book	Andromeda sails out of Port Said anchorage, heading west along Egyptian coast
16 Dec 2017	Email	Andromeda management	Request for warehousing granted by Misrata. Andromeda management asks for quote for 3 weeks of warehousing
19 Dec 2017	**Position**	Log book	Vessel sails toward Island of Crete
20 Dec 2017	**Position**	Log book	Vessel adrift in Greek territorial waters in front of Kriti Kalsi, Crete
	Email	Destel Group	Places a distress call to Astakos port, Greece, asking for warehousing of dangerous goods, until commercial dispute with charterer is resolved.
21 Dec 2017	Email	Charterer	Charterer replies to Vessel manager with all parties copied. Accuses manager of piracy, claims the manager has no intention to cross Suez Canal.

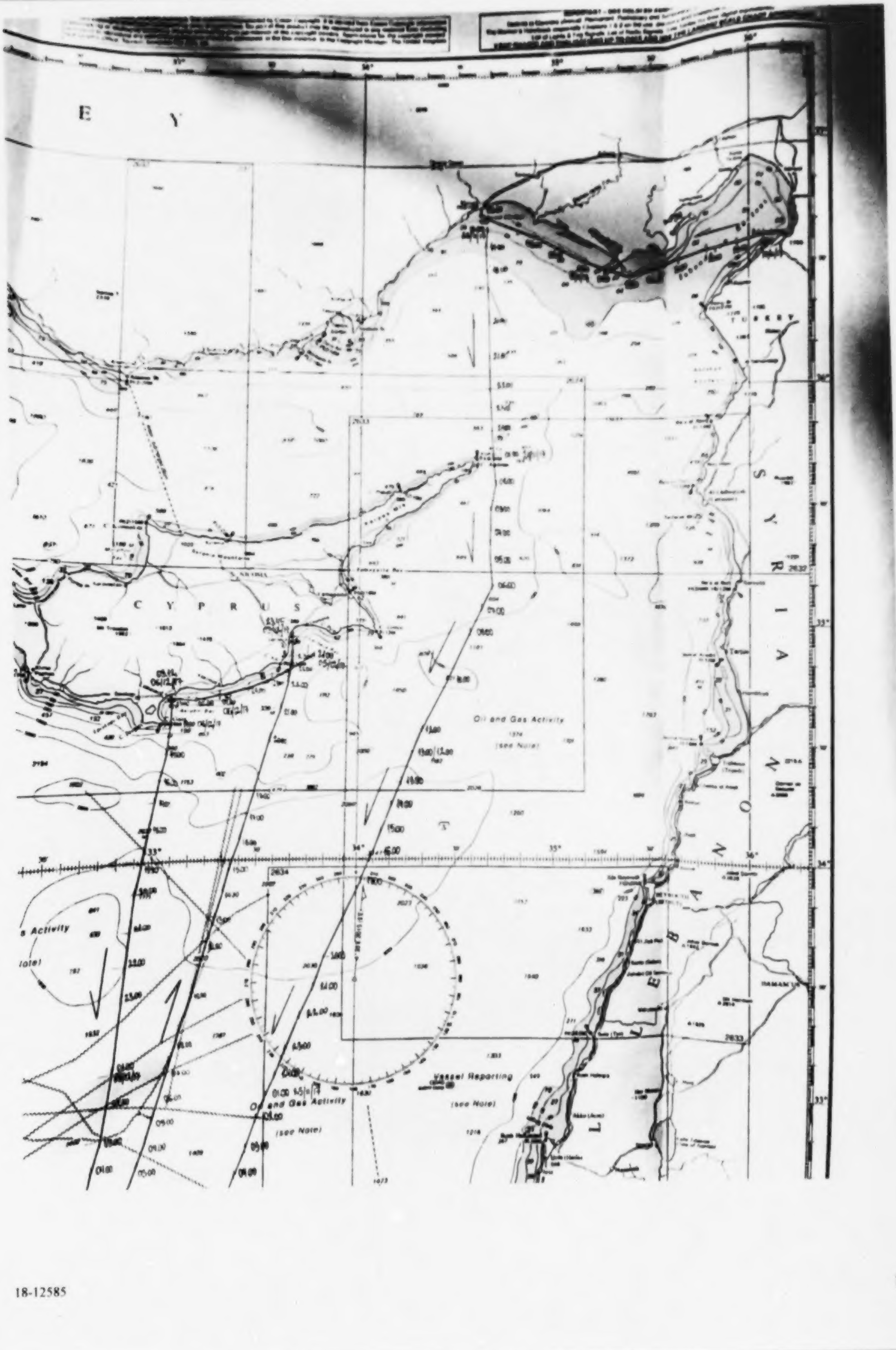
25 Dec 2017	**Position**	Log book	Vessel sails north-west of Crete towards the bay of Kalamata at the Peloponnese.
27 Dec 2017	Email	Lawyer Turkey	Report on meeting with Andromeda management and Destel in Athens. Agreed to pay. Sum to be determined; no agreement on best method of payment. Escrow account with Destel Group.
	Email	Andromeda management	Vessel manager confirms that partial agreement was reach during meeting in Athens and that he has instructed the vessel to sail to Port Said to transit the Suez Canal. He expects the lawyer's office will settle all outstanding issues and the Suez Canal fees will be paid on time for the vessel to transit.
27 Dec 2017	**Position**	Log book	Vessel sails along Cretan shores in direction of Heraklion
28 Dec 2017	**Position**	Log book	Vessel anchors in front of Sitia, Crete
29 Dec 2017	**Message**	Andromeda management and Agent in port of Bar	Request to warehouse cargo at dangerous goods facility of port of Bar, Montenegro
2 Jan 2018	Email	Lawyer Turkey	Mentions that Andromeda management does not agree with the USD 80,000 agreed. Asks Destel to intervene
	Email	Charterer	Claims that there is good AIS signal and that MV Andromeda shelters near Libyan coast. Stresses that he wants to find a solution and is ready to proceed with payment.
	Email	Destel Group	States that the deal made in Athens with Andromeda management was valid until 29 December 2017. The deadline had passed and the sum agreed upon was USD 100,000.
3 Jan 2018	Email	Andromeda management	Stresses that a solution should be possible, but reiterate the threat to warehouse the dangerous goods highlighting that the vessel and the crew are in a difficult situation.
3 Jan 2018	**Position**	Log book	Vessel sails to Golf of Mirabello, Agios Nikolaos, Crete
6 Jan 2018	**Position**	Log book	Hellenic Coastguard approach MV Andromeda in Gulf of Mirabello, Crete
7 Jan 2018	**Position**	Log book	Hellenic Coastguard escort vessel to port of Heraklion, Crete
8 Jan 2018	Email	Destel Group	Business associate informs Andromeda manager that the Charterer through his lawyer have agreed to pay.

4. The AIS signal of the vessel was erratic and the unit was not functioning most of the time. The Panel reconstructed the route of MV Andromeda using a navigation map replicating the master's log book by an independent expert.

Below the certified navigation map:

Ο Παρών Χάρτης
Είναι Πιστόν της [illegible] [illegible]
Που έκανα στις 15/5/2018
Capt. Νικόλαος Αδερίου
Πλοίαρχος Α' Α.Δ.ης 68951

15-5-2018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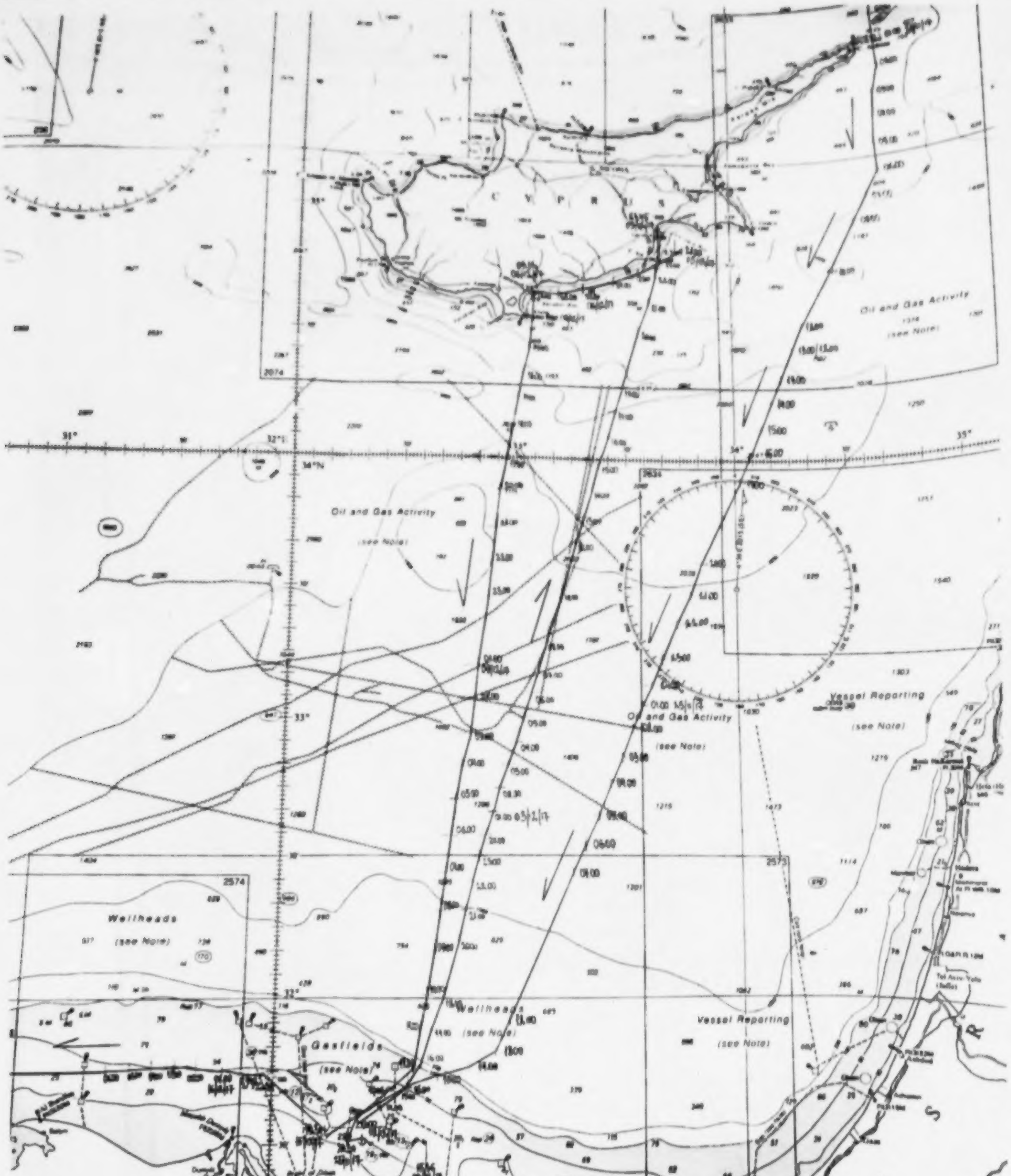
TURKEY
CYPRUS
SYRIA
LEBANON
Oil and Gas Activity
(see Note)
s Activity
lote)
Oil and Gas Activity
(see Note)
Vessel Reporting
(see Note)
DAMASCUS
34°
35°
36°
33°
2633
2634


C Y P R U S
Oil and Gas Activity
(see Note)
Oil and Gas Activity
(see Note)
Oil and Gas Activity
(see Note)
Vessel Reporting
(see Note)
Vessel Reporting
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Wellheads
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Wellheads
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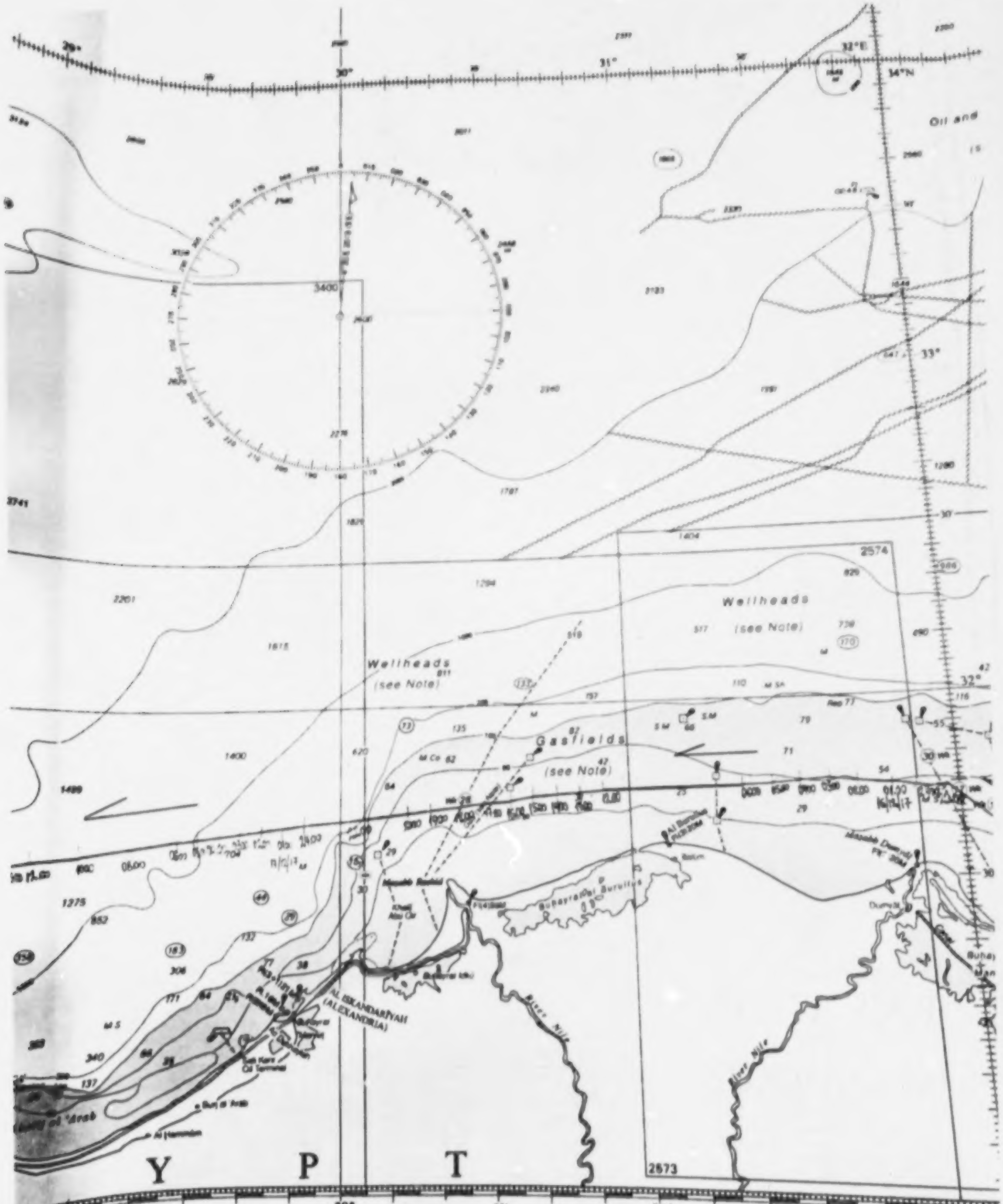
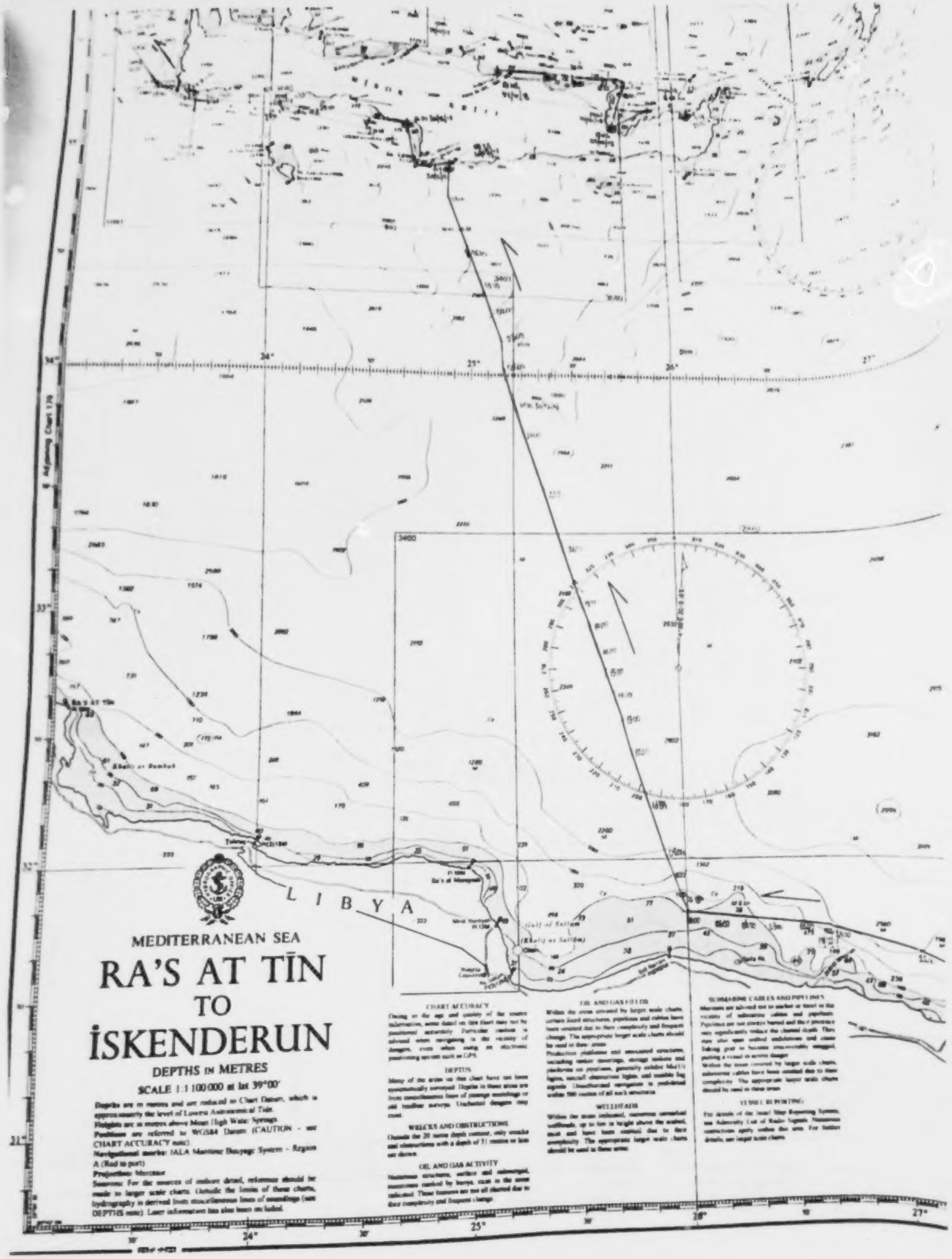
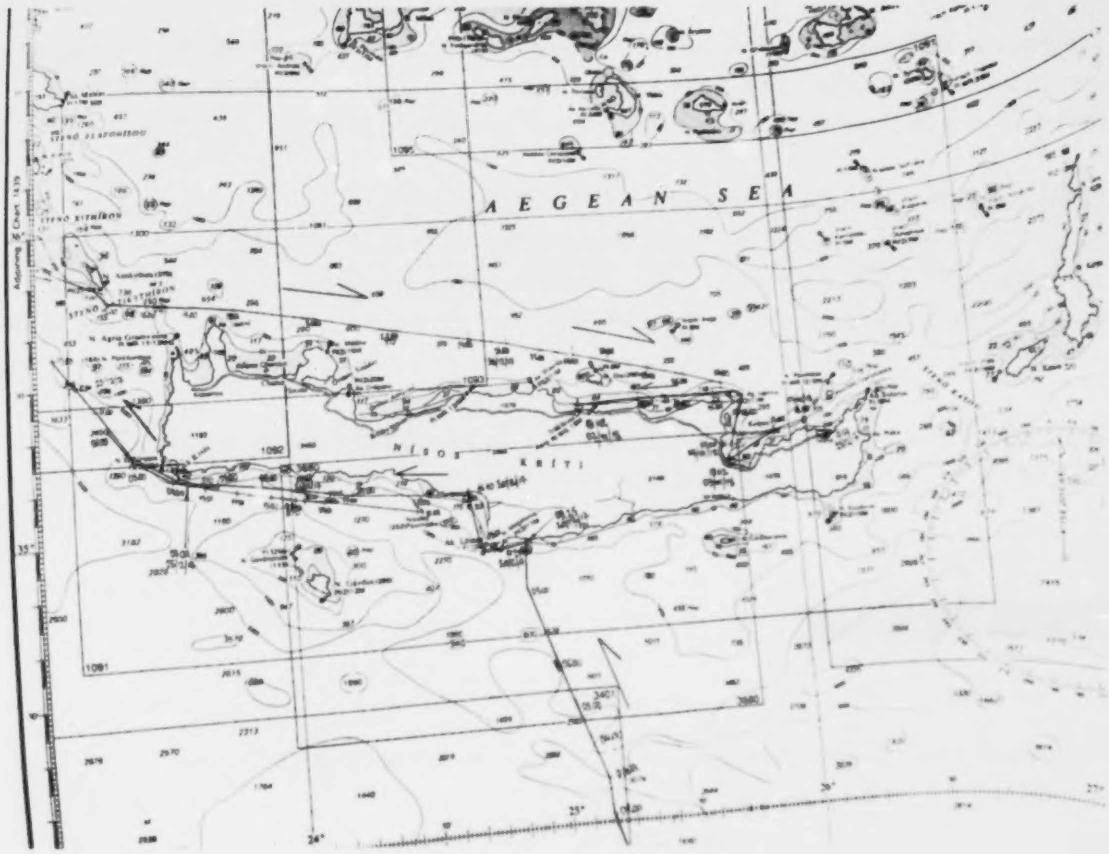
2074
PORT SAID
0300 03/2/17



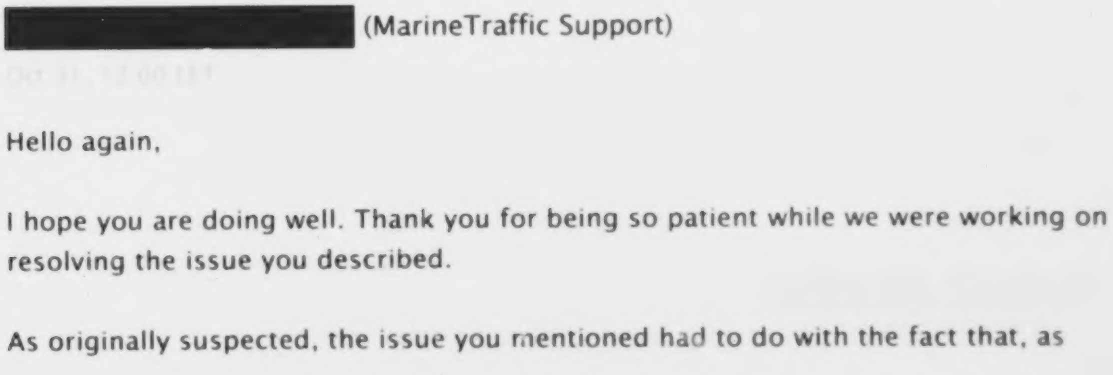
Inited Kingdom 31st October 1969 under the Superintendence of Rear Admiral G.S. Ritchie, C.B., D.S.C., Hydrographer of the Navy.
is chart includes copyright material published with the permission of the hydrographic offices of many nations.
www.ukho.gov.uk ☎ +44 (0)1823 337900


LIBYA
MEDITERRANEAN SEA
RA'S AT TĪN
TO
İSKENDERUN
DEPTHS IN METRES
SCALE 1:1 100 000 at lat 39°00'
RA'S AT TĪN
Gulf of Sallum
(Khalij as Sallūm)
CHART ACCURACY
DEPTHS
WRECKS AND OBSTRUCTIONS
OIL AND GAS ACTIVITY
OIL AND GAS FIELDS
WELLHEADS
SUBMARINE CABLES AND PIPELINES
VESSEL REPORTING
24°
25°
26°
27°
34°
33°
32°
31°
30'



Source: Confidential

5. The manager of MV *Andromeda* previously experienced problems with the AIS signal and asked Marine Traffic to solve the issue in October 2017. Marine Traffic confirmed that the signal was producing wrong results, because in all likelihood another vessel received the same MMSI code from the Flag State, Tanzania:



[redacted] (MarineTraffic Support)

Oct 31, 12:00 [illegible]

Hello again,

I hope you are doing well. Thank you for being so patient while we were working on resolving the issue you described.

As originally suspected, the issue you mentioned had to do with the fact that, as previously discussed, there is another vessel that shares the same MMSI, Call Sign and moves around the same area as your vessel, causing an issue for the data we receive from both vessels to be appropriately translated into our Database.

From our side, the only viable option to avoid this mix up moving forward is to establish a different MMSI for your vessel in our system. This is the only way to make sure that the signals we receive from your vessel are correctly translated into our database, and subsequently in our Live Map. As you might have already noticed, since doing that, you have been receiving a normal amount of positions the last few days.

Once again thank you for being patient and I do apologise for any inconvenience caused so far. If there is anything else I can help you with, please let me know.

Best regards,

[redacted]

Add value to your business: Solutions | Book your demo | Business Directory
MarineTraffic

[redacted] (MarineTraffic Support)

Oct 17, 11:52 EEST

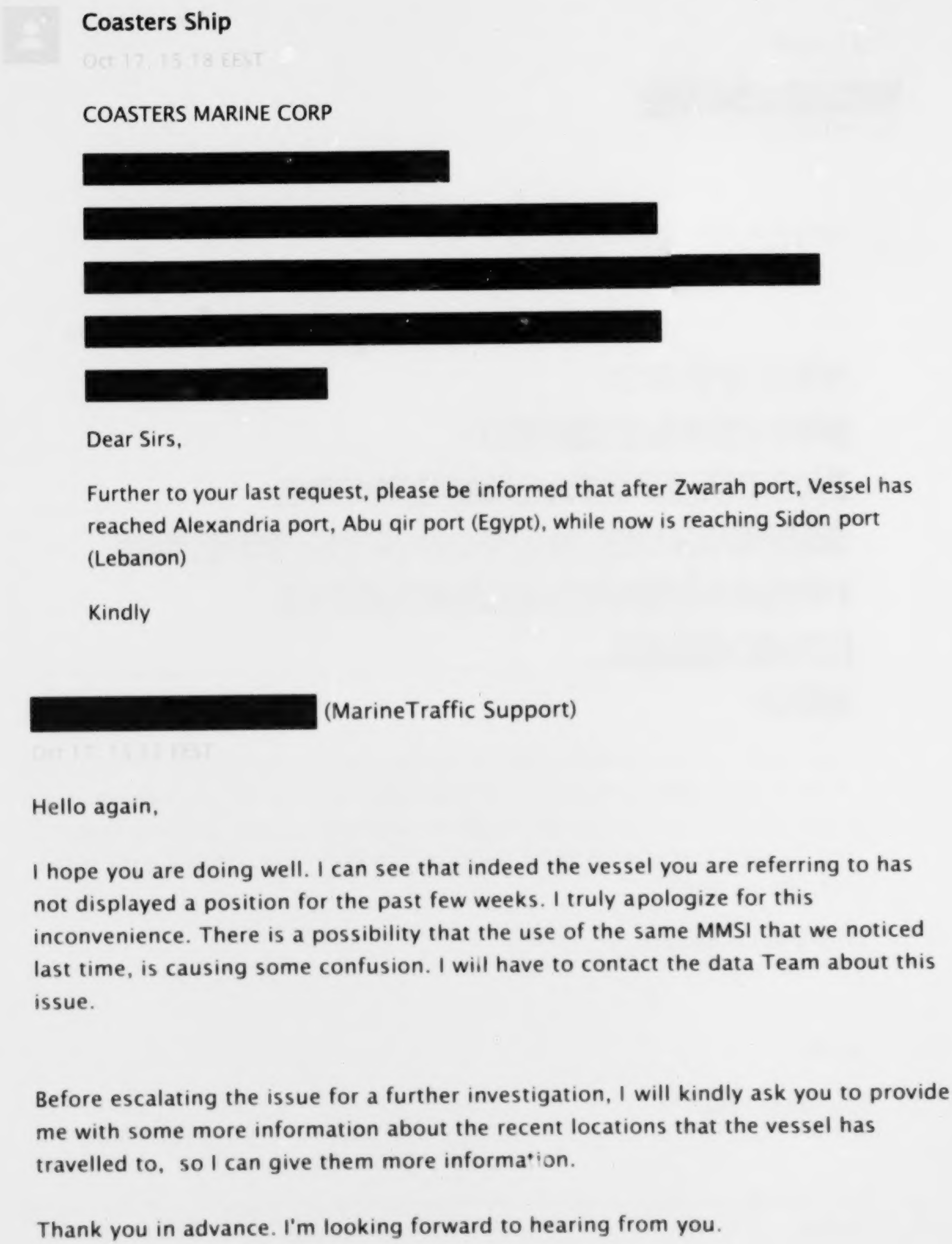
Hello again,

Thank you for your immediate response. I have now escalated this ticket and passed it over to the appropriate department. As soon as I have more information, I will let you know.

In the meantime, if there is anything else I can do for you, please don't hesitate to contact me again.

All the Best,

[redacted]
MarineTraffic



Coasters Ship

Oct 17, 15:18 EEST

COASTERS MARINE CORP

[redacted]

Dear Sirs,

Further to your last request, please be informed that after Zwarah port, Vessel has reached Alexandria port, Abu qir port (Egypt), while now is reaching Sidon port (Lebanon)

Kindly

[redacted] (MarineTraffic Support)

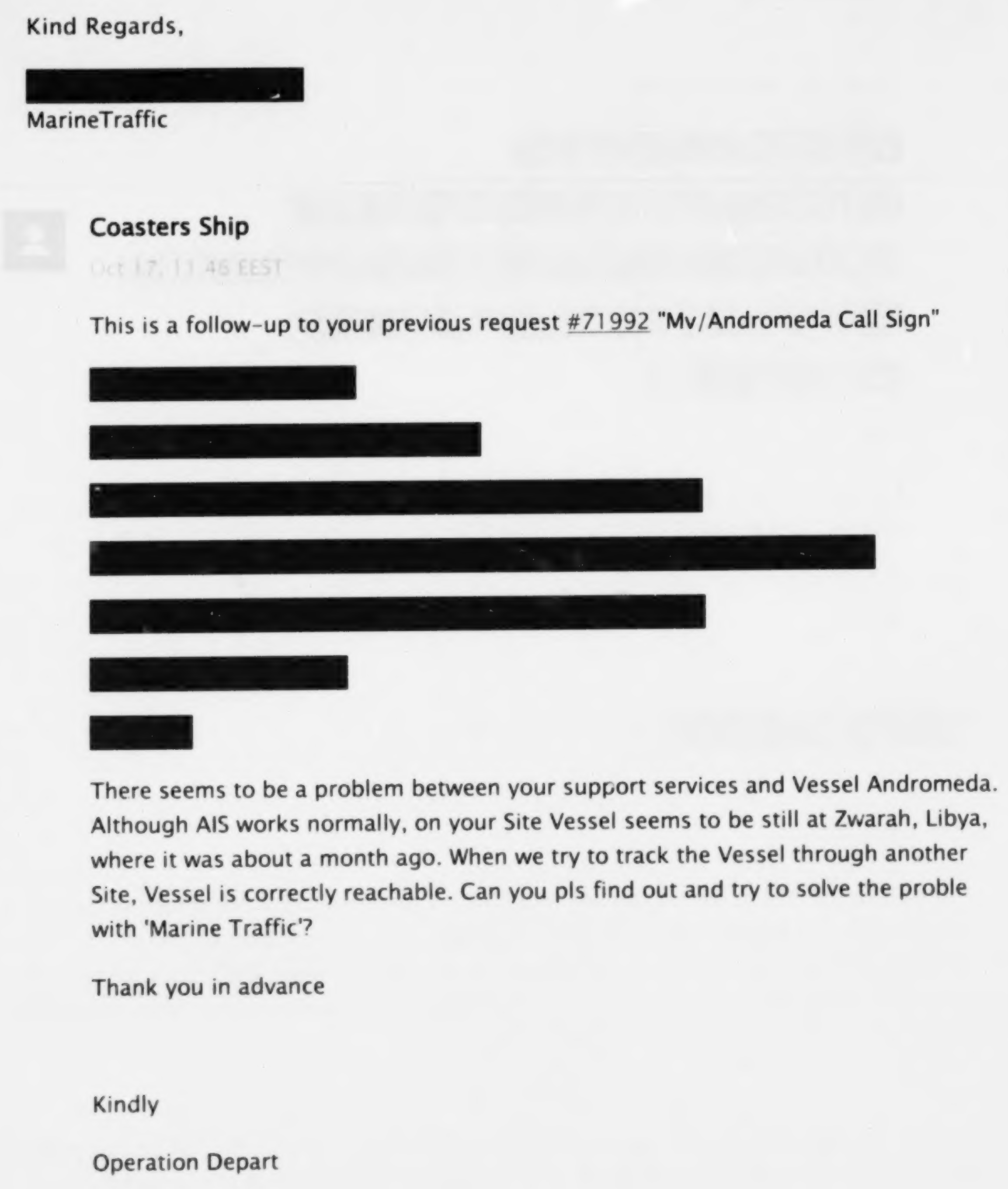
Oct 17, 15:13 EEST

Hello again,

I hope you are doing well. I can see that indeed the vessel you are referring to has not displayed a position for the past few weeks. I truly apologize for this inconvenience. There is a possibility that the use of the same MMSI that we noticed last time, is causing some confusion. I will have to contact the data Team about this issue.

Before escalating the issue for a further investigation, I will kindly ask you to provide me with some more information about the recent locations that the vessel has travelled to, so I can give them more information.

Thank you in advance. I'm looking forward to hearing from you.



Kind Regards,

[redacted]

MarineTraffic

Coasters Ship

Oct 17, 11:46 EEST

This is a follow-up to your previous request #71992 "Mv/Andromeda Call Sign"

[redacted]

There seems to be a problem between your support services and Vessel Andromeda. Although AIS works normally, on your Site Vessel seems to be still at Zwarah, Libya, where it was about a month ago. When we try to track the Vessel through another Site, Vessel is correctly reachable. Can you pls find out and try to solve the proble with 'Marine Traffic'?

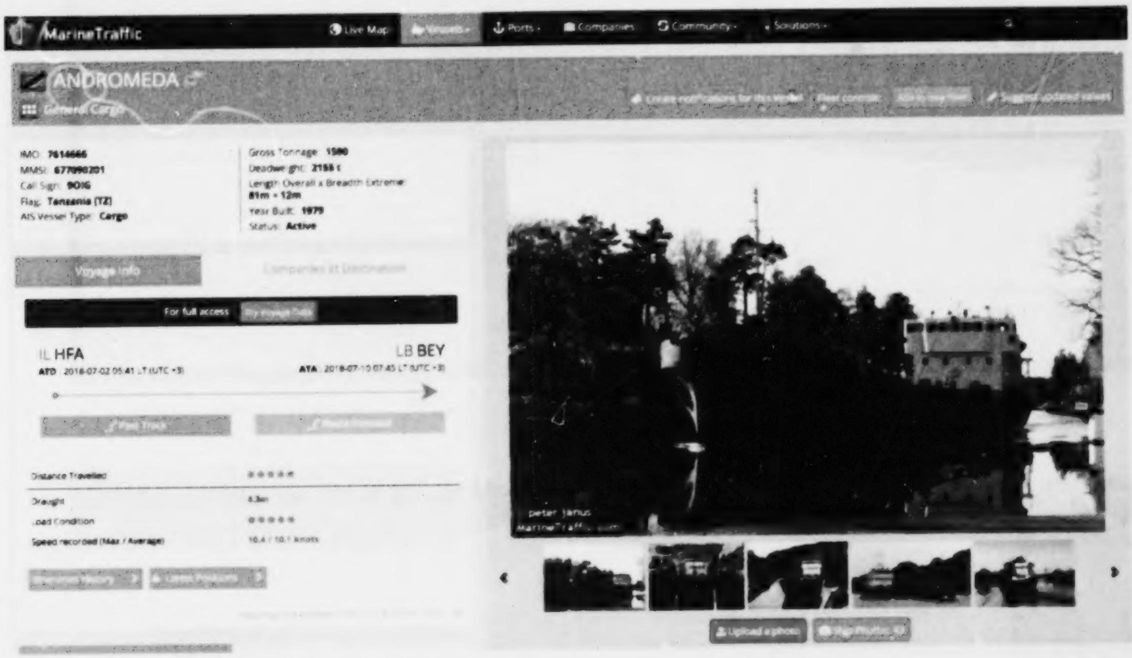
Thank you in advance

Kindly

Operation Depart

Source: Confidential

6. The Panel requested from the Flag State, Tanzania, the Long-range identification and tracking system (LRIT), but did not receive a reply. At the same time, the Panel noted that Marine Traffic continued to show AIS information on its map, though the MV *Andromeda* remained at the port of Heraklion. For example, Marine Traffic showed MV *Andromeda* sailing from Haifa, Israel, to Beirut, Lebanon, between 2 to 10 July 2018:



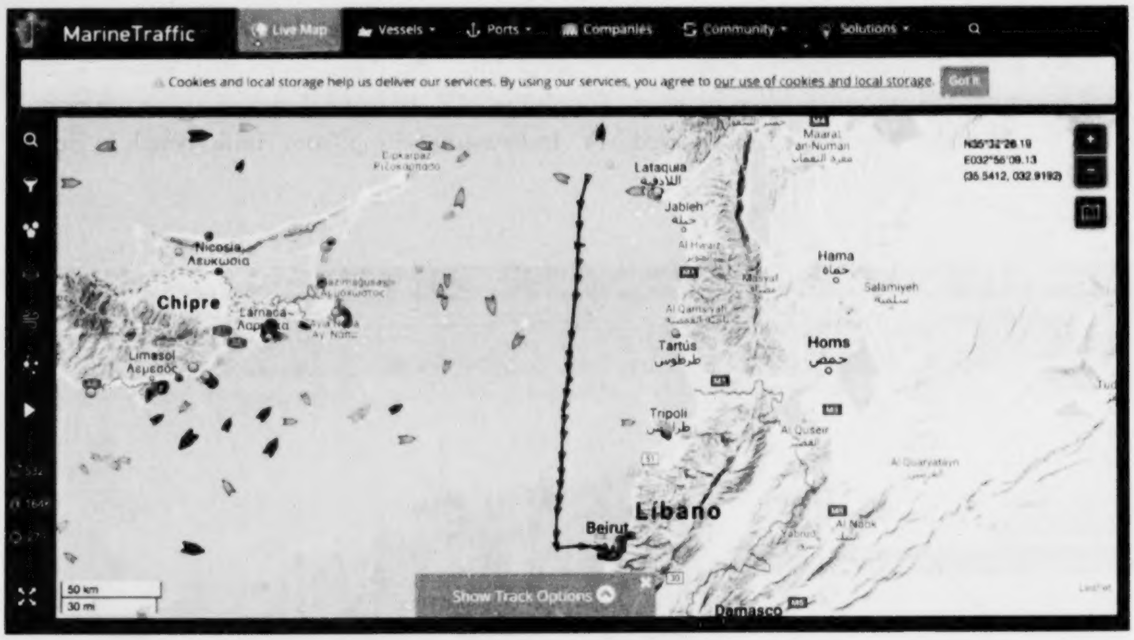
IMO: 7614666
MMSI: 677090201
Call Sign: 9OIG
Flag: Tanzania (TZ)
AIS Vessel Type: Cargo

Gross Tonnage: 1590
Deadweight: 2155 t
Length Overall x Breadth Extreme: 81m × 12m
Year Built: 1979
Status: Active

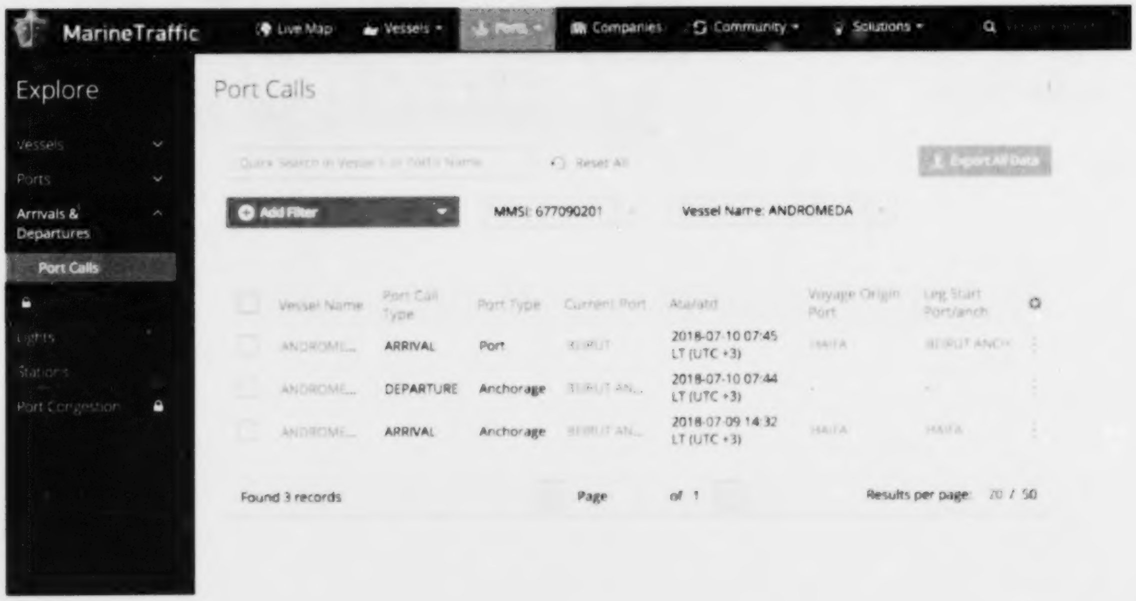
IL HFA
ATD: 2018-07-02 05:41 LT (UTC +3)

LB BEY
ATA: 2018-07-10 07:45 LT (UTC +3)

Distance Travelled: ● ● ● ● ●
Draught: 6.3m
Load Condition: ● ● ● ● ●
Speed recorded (Max / Average): 10.4 / 10.1 knots



Cookies and local storage help us deliver our services. By using our services, you agree to our use of cookies and local storage. Got it



Port Calls

MMSI: 677090201

Vessel Name: ANDROMEDA

☐	Vessel Name	Port Call Type	Port Type	Current Port	Ata/atd	Voyage Origin Port	Leg Start Port/anch
☐	ANDROME...	ARRIVAL	Port	BEIRUT	2018-07-10 07:45 LT (UTC +3)	HAIFA	BEIRUT ANCH
☐	ANDROME...	DEPARTURE	Anchorage	BEIRUT AN...	2018-07-10 07:44 LT (UTC +3)	-	-
☐	ANDROME...	ARRIVAL	Anchorage	BEIRUT AN...	2018-07-09 14:32 LT (UTC +3)	HAIFA	HAIFA

Found 3 records Page of 1 Results per page: 20 / 50

Source: marinetraffic.com, 10 July 2018.

Annex 25 Annex Andromeda warehousing requests

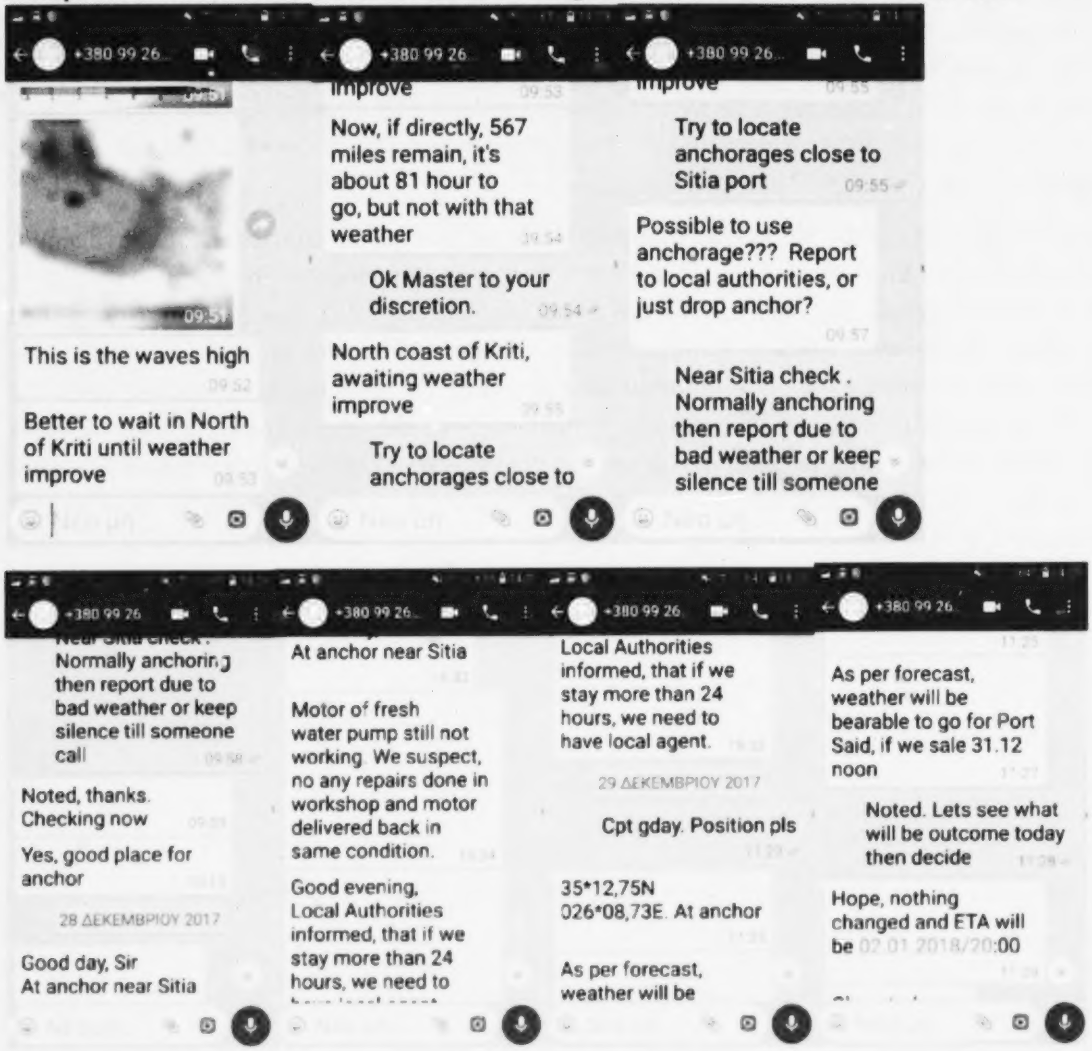
7. The management of the MV *Andromeda* tried to warehouse the whole cargo on three occasions. The first request to Misrata port authority received a positive response on 14 December 2018. Nonetheless, the ship management did not instruct the crew to sail to Misrata, though MV *Andromeda* began to leave Port Said anchorage. The second request was sent as a distress signal to Astakos port, Greece, on 20 December 2018. It was denied. The third request was directed to the port of Bar, Montenegro on 22 December 2017 and was not granted.

8. The representatives of the Shipowner informed the Panel that he had contacted a freight agent in Libya called Bab al-Medina, who serves as local agent for the port of Misrata. The agent confirmed to the Panel that he had previously worked with the owner in 2012 and 2013. The MV *Andromeda* had delivered cement and heavy machinery. He noted that they had communicated through a translator. The owner requested to warehouse the cargo in transit for a period of ten days. The agent also informed the Panel that the owner had shared the bills of lading, mentioned the dangerous goods, and stressed that they would be delivered to Ethiopian mining companies via the port of Djibouti. According to the agent the Misrata Free Trade Zone granted the request for a period of ten days, although the port had no facilities for storage of dangerous goods.

9. Copies of the emails are stored in the Panel's archives.

Annex 26 MV Andromeda manager instructions to sail to Port Said

Excerpts from communication between master and manager of MV *Andromeda* 29-30 December 2018:



+380 99 26...

09:51

09:51

This is the waves high 09:52

Better to wait in North of Kriti until weather improve 09:53

+380 99 26...

improve 09:53

Now, if directly, 567 miles remain, it's about 81 hour to go, but not with that weather 09:54

Ok Master to your discretion. 09:54

North coast of Kriti, awaiting weather improve 09:55

Try to locate anchorages close to

+380 99 26...

improve 09:55

Try to locate anchorages close to Sitia port 09:55

Possible to use anchorage??? Report to local authorities, or just drop anchor? 09:57

Near Sitia check . Normally anchoring then report due to bad weather or keep silence till someone

+380 99 26

Normally anchoring then report due to bad weather or keep silence till someone call 09:58

Noted, thanks. Checking now

Yes, good place for anchor

28 ΔΕΚΕΜΒΡΙΟΥ 2017

Good day, Sir
At anchor near Sitia

+380 99 26...

At anchor near Sitia

Motor of fresh water pump still not working. We suspect, no any repairs done in workshop and motor delivered back in same condition.

Good evening,
Local Authorities informed, that if we stay more than 24 hours, we need to

+380 99 26

Local Authorities informed, that if we stay more than 24 hours, we need to have local agent.

29 ΔΕΚΕΜΒΡΙΟΥ 2017

Cpt gday. Position pls

35*12,75N
026*08,73E. At anchor

As per forecast, weather will be

+380 99 26...

As per forecast, weather will be bearable to go for Port Said, if we sale 31.12 noon

Noted. Lets see what will be outcome today then decide

Hope, nothing changed and ETA will be 02.01.2018/20:00

Source: Confidential

Annex 27 C-17 Globemaster III flights to Benina and Misrata airports

Table: of C17 military transport aircraft bound to Libya March to June 2018:

Departure	Arrival	Dep. Airport	Arrival Airport	Tail-Number	Hexcode
03.16.2018 05:02:41	**03.16.2018 08:45:41**	**ETAR**	**HLMS**	**99206A**	**AE49C2**
03.17.2018 07:58:47	03.17.2018 11:39:41	ETAR	HLLB	99206A	AE49C2
03.18.2018 08:12:00	**03.18.2018 11:28:42**	**ETAR**	**HLLB**	**99206A**	**AE49C2**
03.29.2018 09:45:20	03.29.2018 15:37:31	HDAM	HLMS	77185A	AE20C6
04.14.2018 00:15:00	**04.14.2018 06:09:37**	**HDAM**	**HLMS**	**10197A**	**AE10C0**
04.15.2018 15:10:00	04.15.2018 16:51:07	LGSA	HLMS	10197A	AE10C0
05.20.2018 17:36:00	**05.20.2018 21:03:30**	**ETAR**	**HLLB**	**77185A**	**AE20C6**
05.22.2018 19:24:00	05.22.2018 22:37:05	ETAR	HLMS	77185A	AE20C6
05.24.2018 01:49:00	**05.24.2018 05:01:05**	**ETAR**	**HLMS**	**77185A**	**AE20C6**
05.25.2018 06:16:00	05.25.2018 09:47:14	ETAR	HLLB	77185A	AE20C6
05.26.2018 17:00:11	**05.26.2018 20:22:35**	**ETAR**	**HLLB**	**77185A**	**AE20C6**
05.27.2018 16:06:00	05.27.2018 19:46:31	EGVN	HLMS	ZZ172	43C172
05.27.2018 22:42:00	**05.28.2018 00:09:25**	**LICT**	**HLLB**	**ZZ172**	**43C172**
06.02.2018 17:57:00	06.02.2018 19:25:58	LICT	HLLB	ZZ172	43C172
06.02.2018 23:08:00	**06.03.2018 00:17:31**	**LICT**	**HLMS**	**ZZ172**	**43C172**

Source: Eurocontrol, 2018

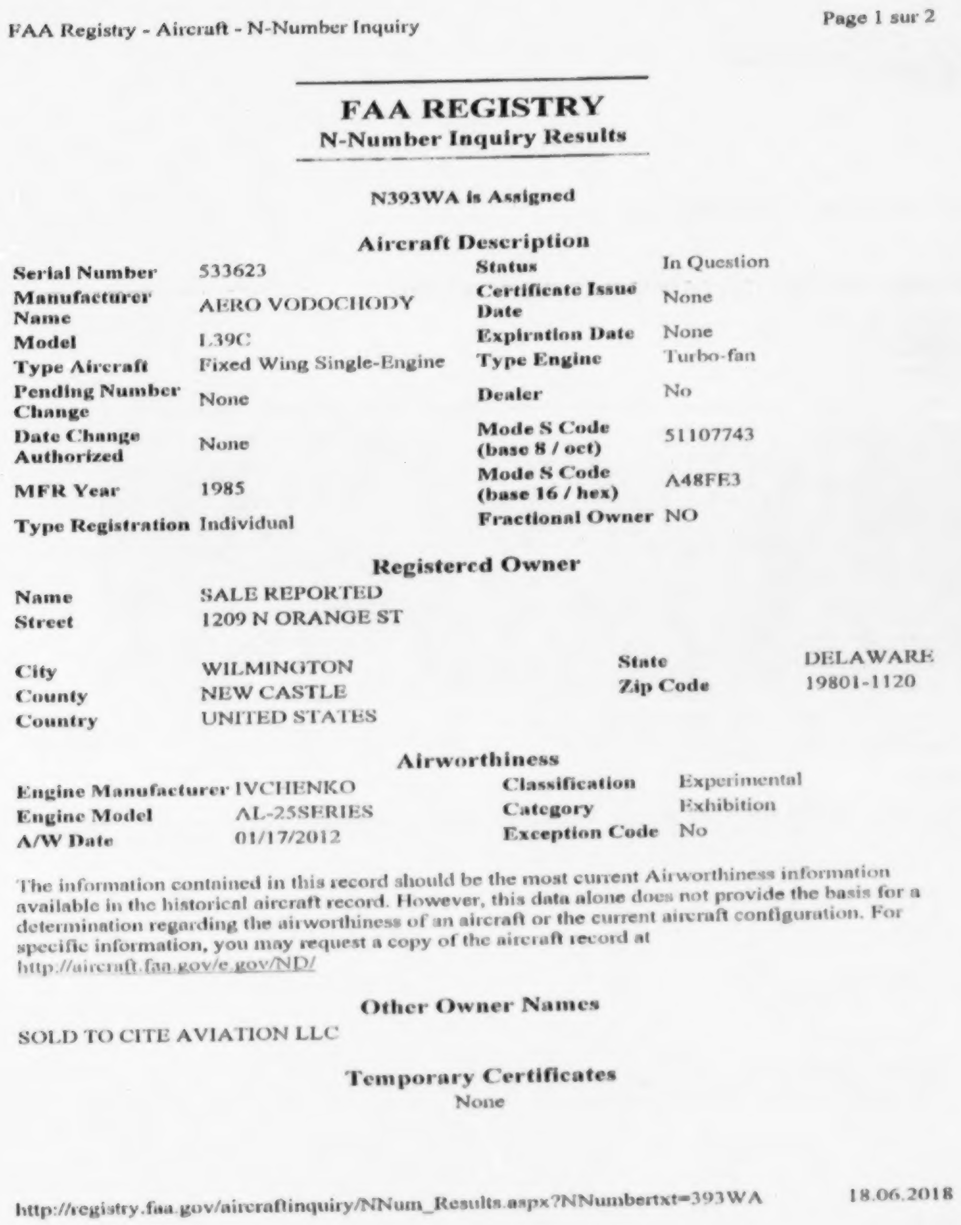
Annex 28 L-39 Case and Falcon F900 used by Khalifa Haftar and the LNA

10. The Albatros L-39C (serial number 533623, tail number N393WA) was decommissioned and demilitarized in November 2000. Riccardo Mortara, the CEO of Sonnig S.A., a Geneva-based air company, bought the aircraft in 2009. The aircraft is registered in the United States, where it can operate with an experimental license. To obtain and keep a United States registration it must be owned by a company registered in the United States. This is made possible through trust agreements.

Table: Overview of the L-39C N393WA ownership history:

Dates	Ownership
1 January 1985	Constructed as a L-39C, Owned by Eastern European air forces
15 November 2000	Aircraft decommissioned and sold to private company, Deer Valley, AZ with tail number N393WA.
25 July 2001 to 2004	Sold to private individual, Highland Falls, NY.
March 2005	Sold to private company Corporate Aircraft Partners Inc, Cleveland, OH.
January 2006	Sold to private company, Klamath Falls, OR.
6 March 2006	Sold to private company, Wilmington, DE.
27 July 2006	Sold to ***Cite Aviation LLC***, Wilmington, DE.
27 August 2010	Sold to Wells Fargo Bank Northwest Na Trustee under trust agreement, Salt Lake City, UT Operated with **Sonnig S.A.** painting
28 November 2017	Sold to ***Cite Aviation LLC***, Wilmington, DE Registration status unclear Operated by Sonnig International Private Jets, Fujairah.

11. Cite Aviation LLC owned the L-39 from July 2006 until August 2010 when it was operated by Million-Air in the USA. The FAA's review of the aircraft records shows the last U.S. owner of record as Wells Fargo Bank Northwest NA trustee under a trust agreement dated as of August 3, 2010. Wells Fargo sold the aircraft to Cite Aviation LLC per a bill of sale filed with the FAA on November 28, 2017.



FAA Registry - Aircraft - N-Number Inquiry — Page 1 sur 2

FAA REGISTRY

N-Number Inquiry Results

N393WA is Assigned

Aircraft Description

Serial Number	533623	**Status**	In Question
Manufacturer Name	AERO VODOCHODY	**Certificate Issue Date**	None
Model	L39C	**Expiration Date**	None
Type Aircraft	Fixed Wing Single-Engine	**Type Engine**	Turbo-fan
Pending Number Change	None	**Dealer**	No
Date Change Authorized	None	**Mode S Code (base 8 / oct)**	51107743
MFR Year	1985	**Mode S Code (base 16 / hex)**	A48FE3
Type Registration	Individual	**Fractional Owner**	NO

Registered Owner

Name	SALE REPORTED		
Street	1209 N ORANGE ST		
City	WILMINGTON	**State**	DELAWARE
County	NEW CASTLE	**Zip Code**	19801-1120
Country	UNITED STATES		

Airworthiness

Engine Manufacturer	IVCHENKO	**Classification**	Experimental
Engine Model	AL-25SERIES	**Category**	Exhibition
A/W Date	01/17/2012	**Exception Code**	No

The information contained in this record should be the most current Airworthiness information available in the historical aircraft record. However, this data alone does not provide the basis for a determination regarding the airworthiness of an aircraft or the current aircraft configuration. For specific information, you may request a copy of the aircraft record at http://aircraft.faa.gov/e.gov/ND/

Other Owner Names

SOLD TO CITE AVIATION LLC

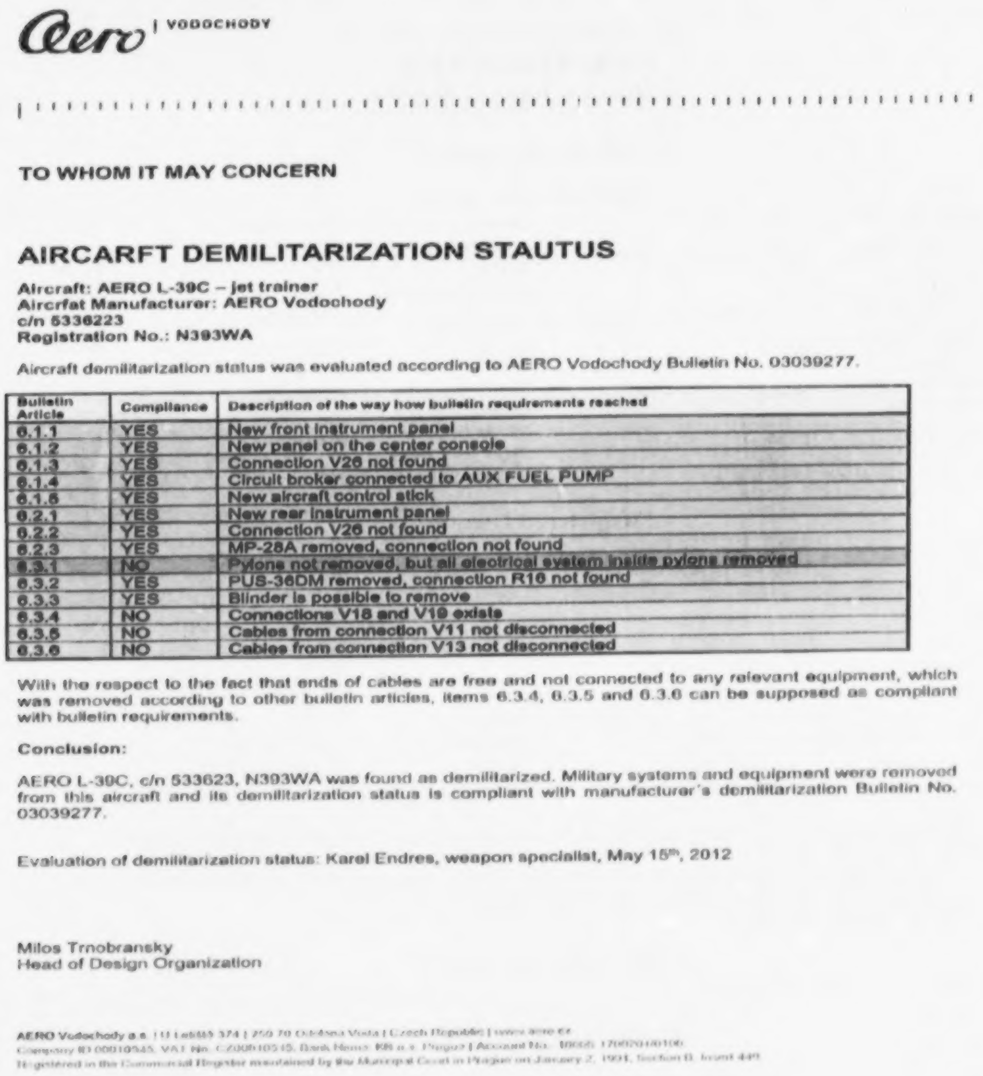
Temporary Certificates

None

http://registry.faa.gov/aircraftinquiry/NNum_Results.aspx?NNumbertxt=393WA 18.06.2018

Source: Riccardo Mortara

Demilitarization certificate by the manufaturer of the L-39, Aero Vodochody.



Aero | VODOCHODY

TO WHOM IT MAY CONCERN

AIRCARFT DEMILITARIZATION STAUTUS

Aircraft: AERO L-39C – jet trainer
Aircrfat Manufacturer: AERO Vodochody
c/n 5336223
Registration No.: N393WA

Aircraft demilitarization status was evaluated according to AERO Vodochody Bulletin No. 03039277.

Bulletin Article	Compliance	Description of the way how bulletin requirements reached
6.1.1	YES	New front instrument panel
6.1.2	YES	New panel on the center console
6.1.3	YES	Connection V26 not found
6.1.4	YES	Circuit broker connected to AUX FUEL PUMP
6.1.5	YES	New aircraft control stick
6.2.1	YES	New rear instrument panel
6.2.2	YES	Connection V26 not found
6.2.3	YES	MP-28A removed, connection not found
6.3.1	NO	Pylons not removed, but all electrical system inside pylons removed
6.3.2	YES	PUS-36DM removed, connection R16 not found
6.3.3	YES	Blinder is possible to remove
6.3.4	NO	Connections V18 and V19 exists
6.3.5	NO	Cables from connection V11 not disconnected
6.3.6	NO	Cables from connection V13 not disconnected

With the respect to the fact that ends of cables are free and not connected to any relevant equipment, which was removed according to other bulletin articles, items 6.3.4, 6.3.5 and 6.3.6 can be supposed as compliant with bulletin requirements.

Conclusion:

AERO L-39C, c/n 533623, N393WA was found as demilitarized. Military systems and equipment were removed from this aircraft and its demilitarization status is compliant with manufacturer's demilitarization Bulletin No. 03039277.

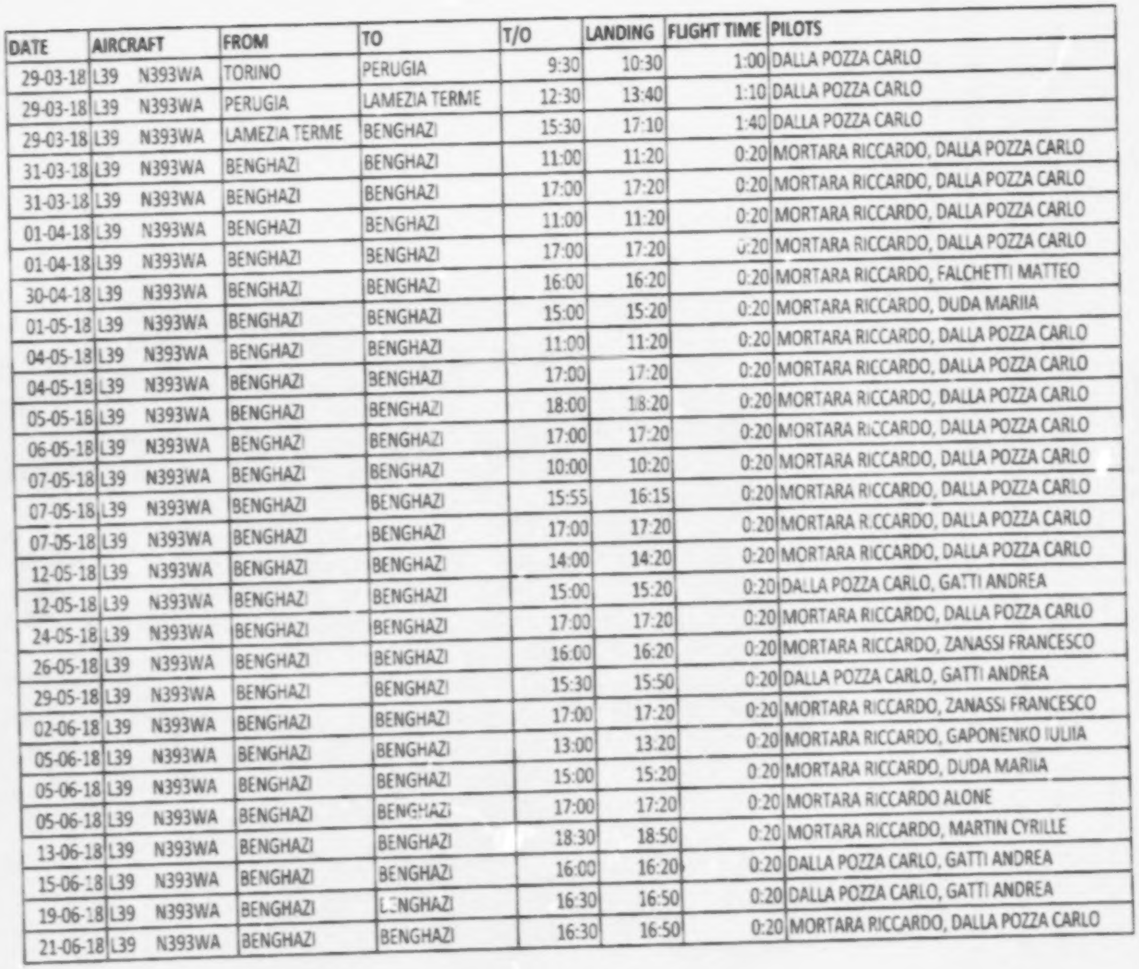
Evaluation of demilitarization status: Karel Endres, weapon specialist, May 15th, 2012

Milos Trnobransky
Head of Design Organization

Source: Confidential

12. The owner of the plane has shared with the Panel all the flights conducted since the L-39 is stationed in Benghazi including the names of the pilots on the plane. The flights are limited to 20 minutes each. According to the owner, the aim was to maintain his skills and those of his company's pilots.

Tabel of the L-39C flights in Benghazi.



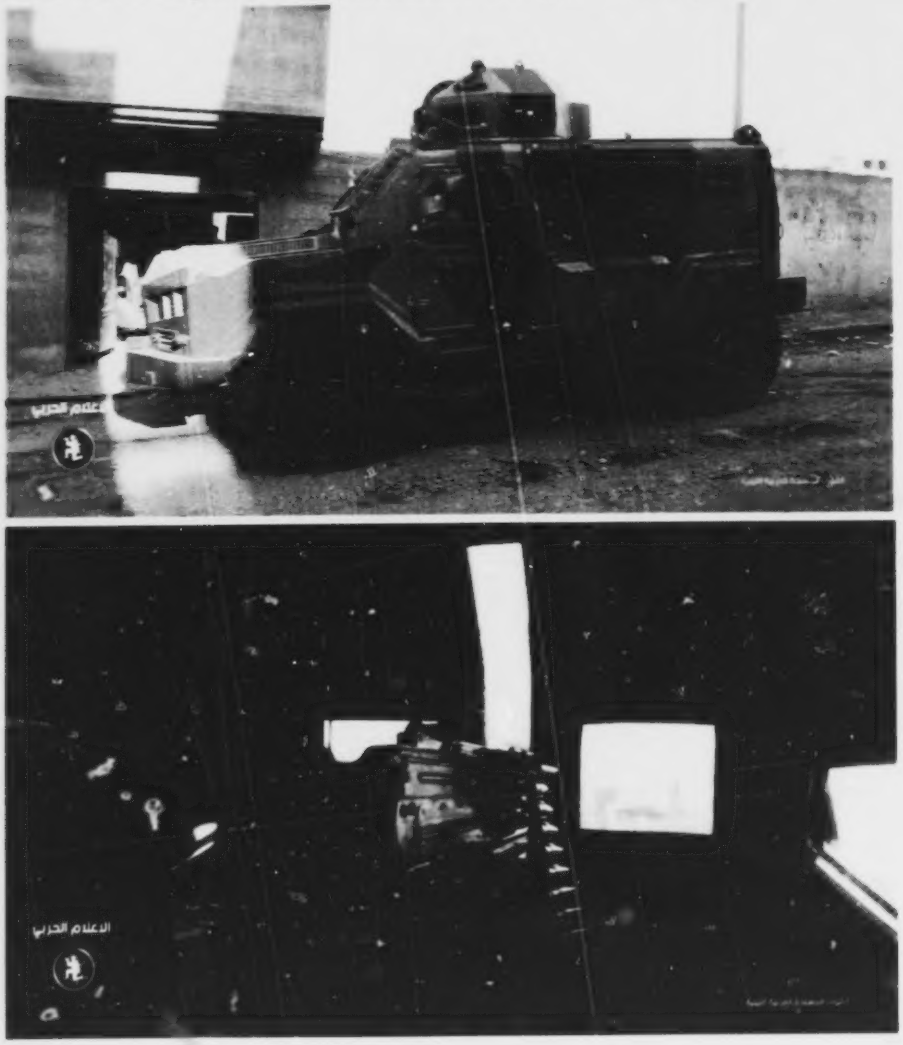
DATE	AIRCRAFT		FROM	TO	T/O	LANDING	FLIGHT TIME	PILOTS
29-03-18	L39	N393WA	TORINO	PERUGIA	9:30	10:30	1:00	DALLA POZZA CARLO
29-03-18	L39	N393WA	PERUGIA	LAMEZIA TERME	12:30	13:40	1:10	DALLA POZZA CARLO
29-03-18	L39	N393WA	LAMEZIA TERME	BENGHAZI	15:30	17:10	1:40	DALLA POZZA CARLO
31-03-18	L39	N393WA	BENGHAZI	BENGHAZI	11:00	11:20	0:20	MORTARA RICCARDO, DALLA POZZA CARLO
31-03-18	L39	N393WA	BENGHAZI	BENGHAZI	17:00	17:20	0:20	MORTARA RICCARDO, DALLA POZZA CARLO
01-04-18	L39	N393WA	BENGHAZI	BENGHAZI	11:00	11:20	0:20	MORTARA RICCARDO, DALLA POZZA CARLO
01-04-18	L39	N393WA	BENGHAZI	BENGHAZI	17:00	17:20	0:20	MORTARA RICCARDO, DALLA POZZA CARLO
30-04-18	L39	N393WA	BENGHAZI	BENGHAZI	16:00	16:20	0:20	MORTARA RICCARDO, FALCHETTI MATTEO
01-05-18	L39	N393WA	BENGHAZI	BENGHAZI	15:00	15:20	0:20	MORTARA RICCARDO, DUDA MARIIA
04-05-18	L39	N393WA	BENGHAZI	BENGHAZI	11:00	11:20	0:20	MORTARA RICCARDO, DALLA POZZA CARLO
04-05-18	L39	N393WA	BENGHAZI	BENGHAZI	17:00	17:20	0:20	MORTARA RICCARDO, DALLA POZZA CARLO
05-05-18	L39	N393WA	BENGHAZI	BENGHAZI	18:00	18:20	0:20	MORTARA RICCARDO, DALLA POZZA CARLO
06-05-18	L39	N393WA	BENGHAZI	BENGHAZI	17:00	17:20	0:20	MORTARA RICCARDO, DALLA POZZA CARLO
07-05-18	L39	N393WA	BENGHAZI	BENGHAZI	10:00	10:20	0:20	MORTARA RICCARDO, DALLA POZZA CARLO
07-05-18	L39	N393WA	BENGHAZI	BENGHAZI	15:55	16:15	0:20	MORTARA RICCARDO, DALLA POZZA CARLO
07-05-18	L39	N393WA	BENGHAZI	BENGHAZI	17:00	17:20	0:20	MORTARA RICCARDO, DALLA POZZA CARLO
12-05-18	L39	N393WA	BENGHAZI	BENGHAZI	14:00	14:20	0:20	MORTARA RICCARDO, DALLA POZZA CARLO
12-05-18	L39	N393WA	BENGHAZI	BENGHAZI	15:00	15:20	0:20	DALLA POZZA CARLO, GATTI ANDREA
24-05-18	L39	N393WA	BENGHAZI	BENGHAZI	17:00	17:20	0:20	MORTARA RICCARDO, DALLA POZZA CARLO
26-05-18	L39	N393WA	BENGHAZI	BENGHAZI	16:00	16:20	0:20	MORTARA RICCARDO, ZANASSI FRANCESCO
29-05-18	L39	N393WA	BENGHAZI	BENGHAZI	15:30	15:50	0:20	DALLA POZZA CARLO, GATTI ANDREA
02-06-18	L39	N393WA	BENGHAZI	BENGHAZI	17:00	17:20	0:20	MORTARA RICCARDO, ZANASSI FRANCESCO
05-06-18	L39	N393WA	BENGHAZI	BENGHAZI	13:00	13:20	0:20	MORTARA RICCARDO, GAPONENKO IULIIA
05-06-18	L39	N393WA	BENGHAZI	BENGHAZI	15:00	15:20	0:20	MORTARA RICCARDO, DUDA MARIIA
05-06-18	L39	N393WA	BENGHAZI	BENGHAZI	17:00	17:20	0:20	MORTARA RICCARDO ALONE
13-06-18	L39	N393WA	BENGHAZI	BENGHAZI	18:30	18:50	0:20	MORTARA RICCARDO, MARTIN CYRILLE
15-06-18	L39	N393WA	BENGHAZI	BENGHAZI	16:00	16:20	0:20	DALLA POZZA CARLO, GATTI ANDREA
19-06-18	L39	N393WA	BENGHAZI	BENGHAZI	16:30	16:50	0:20	DALLA POZZA CARLO, GATTI ANDREA
21-06-18	L39	N393WA	BENGHAZI	BENGHAZI	16:30	16:50	0:20	MORTARA RICCARDO, DALLA POZZA CARLO

Source: Riccardo Mortara

Annex 29 Armoured vehicles of LNA armed groups

13. The LNA attack on Derna brought to light the substantial military build-up in the east of Libya, though the units there are not part of the units under control of the GNA.

Picture 8 Armoured infantry vehicle al-Wahsh by King Abdullah II Design and Development Bureau (KADDB) of Jordan, equipped with a closed snakehead turret used by LNA's 106 Brigade in Derna in June 2018. The turret provides full protection to the fighter shooting



Source: LNA Media Office, 26 June 2018[6]

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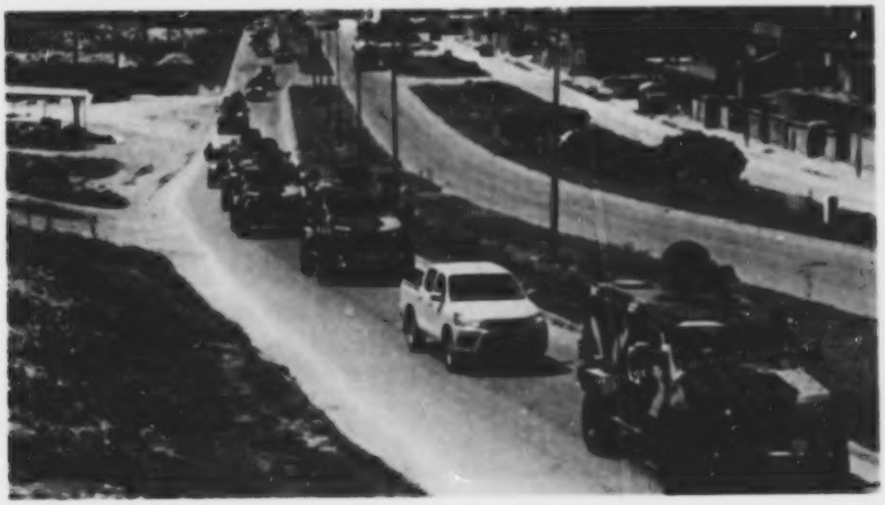
[6] https://www.youtube.com/watch?v=cbmPOzd8Bls

Picture 9 Panthera F9 MRAP by Minerva Special Purpose Vehicles en route to Derna on 16 May 2018.



Source: LNA Media Office, 16 May 2018[7]

Picture 10 Several Toyota pick up trucks mounted with heavy machine guns. LNA convoy en route to Derna on 16 May 2018

Source: LNA Media Office, 16 May 2018[8]

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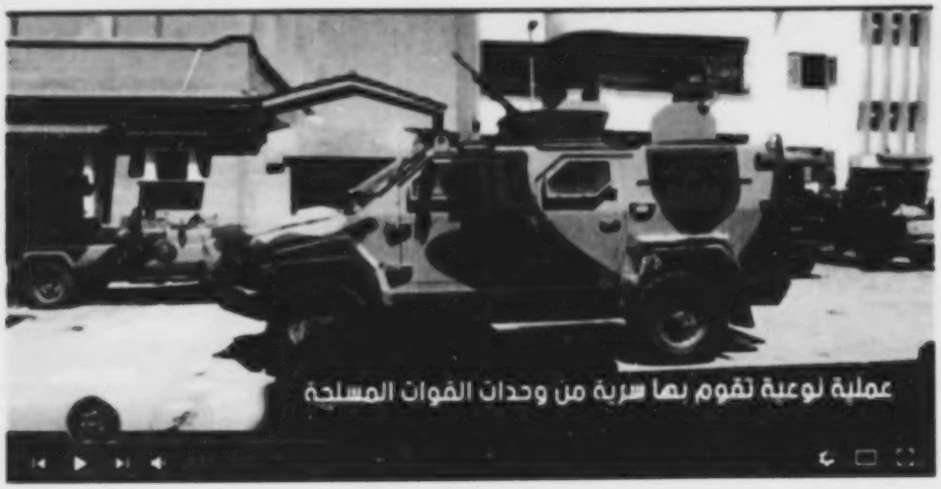
[7] https://www.youtube.com/watch?v=Sdf4lKSHSgQ

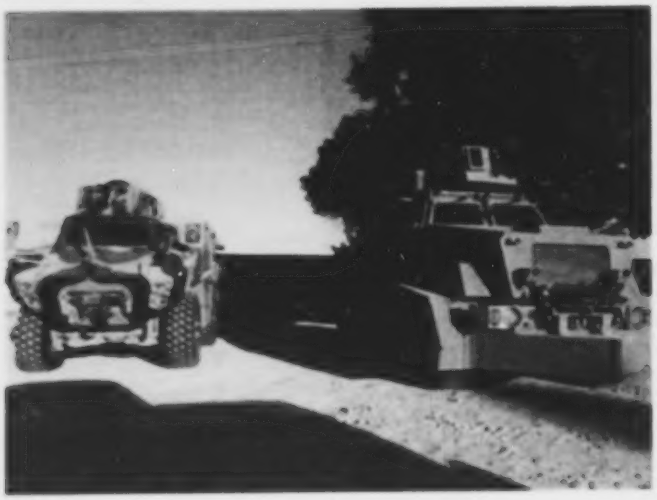
[8] Ibid.

Picture 11 Streit Spartan ASV used by the LNA, participating in the attacks in Derna, June 2018



Source: Media office of the LNA, 26 June 2018.[9]

Picture 12 Armoured infantry vehicles (Nimr Jais MRAP on the left and Caiman MRAP on the right, both with closed turrets), of the Bou Hdima Martyrs Brigade of the LNA in Benghazi, preparing for the siege of Derna in August 2017



Source: Social media[10]

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[9] انقاذ عائلة في عملية نوعية محكمة قامت بها القوات المسلحة في درنه , Youtube.com. 26 June 2018.

[10] https://ar-ar.facebook.com/khalifa.haftr/posts/1964501903823862

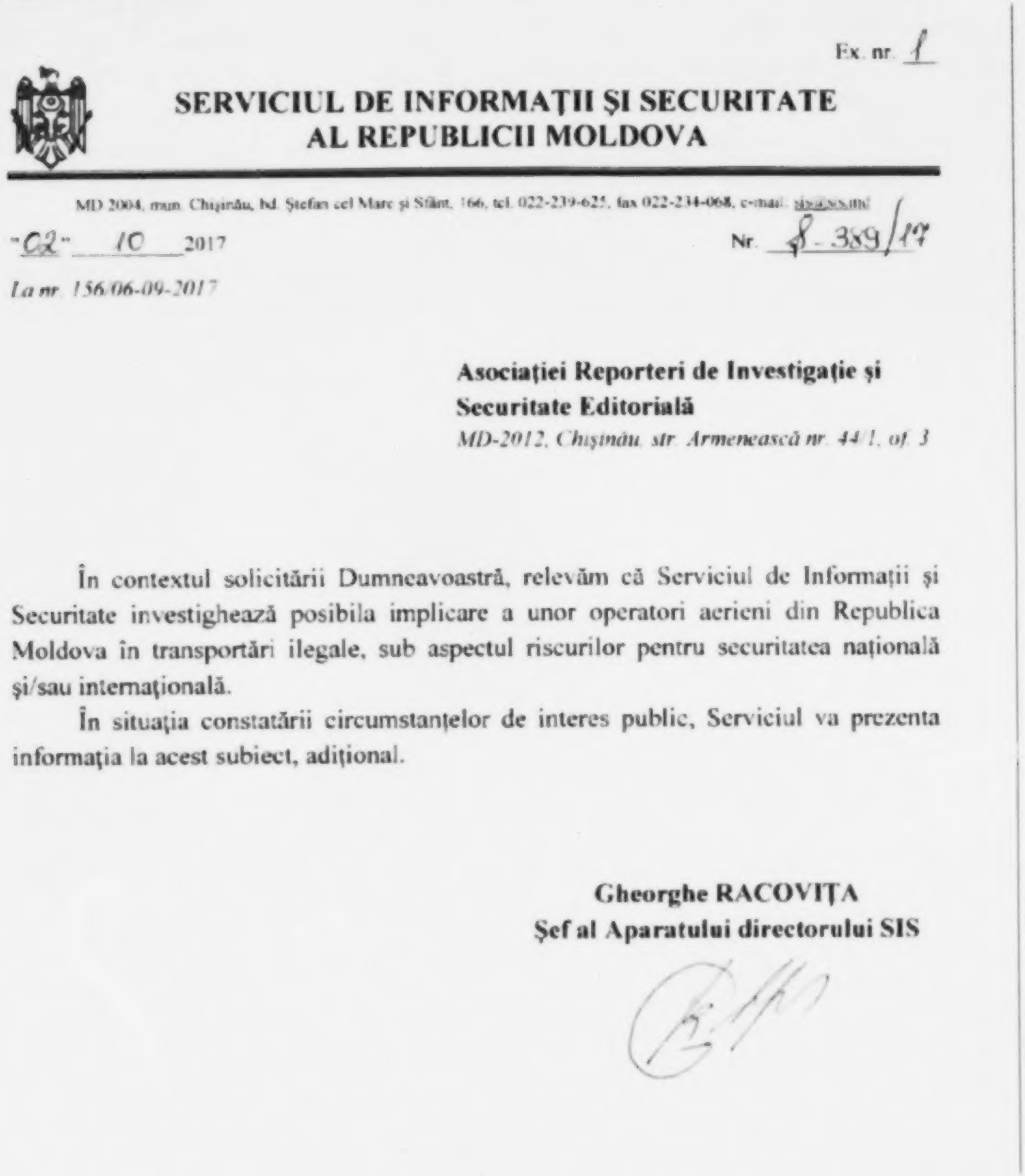
Annex 30 Czech rotary-wing aircraft Mi-24v attempted retransfer to Libya

14. The Panel had reported previously (S/2017/466, Annex 38) on the attempted re-transfer of Mi-24v rotary wing aircraft, sold by the Czech state-owned company LOM Praha s.p. to the United Arab Emirates (UAE). The Panel contacted the Czech authorities, who confirmed that seven Mi-24v were sold to the UAE and the export license granted in September 2015. As of May 2017, the overhauled airframes, gearboxes as well as the auxiliary power units (in April 2017) had been delivered to the UAE. After the Panel informed the Czech authorities, the delivery of the TV3-117V engines was suspended until further clarification by the UAE. The Panel had regularly following up with the Czech authorities and requested a statement from the buyer AAL Group Ltd.

15. The UAE later informed the Panel that the Mi-24v were received and that Czech representatives attended an inspection of the rotary-wing aircraft on 6 December at the Sweihan Airbase in Abu Dhabi.

Annex 31 Moldovan civilian cargo planes

Confirmation of the Moldovan Security Information Service that investigations are ongoing on illegal air transports, dated 02.10.2017



Ex. nr. 1

SERVICIUL DE INFORMAŢII ŞI SECURITATE
AL REPUBLICII MOLDOVA

MD 2004, mun. Chişinău, bd. Ştefan cel Mare şi Sfânt, 166, tel. 022-239-625, fax 022-234-068, e-mail: sis@sis.md

"02" 10 2017 Nr. 8-389/17

La nr. 156/06-09-2017

Asociaţiei Reporteri de Investigaţie şi
Securitate Editorială
MD-2012, Chişinău, str. Armenească nr. 44/1, of. 3

În contextul solicitării Dumneavoastră, relevăm că Serviciul de Informaţii şi Securitate investighează posibila implicare a unor operatori aerieni din Republica Moldova în transportări ilegale, sub aspectul riscurilor pentru securitatea naţională şi/sau internaţională.

În situaţia constatării circumstanţelor de interes public, Serviciul va prezenta informaţia la acest subiect, adiţional.

Gheorghe RACOVIŢA
Şef al Aparatului directorului SIS

Source: Media [11]

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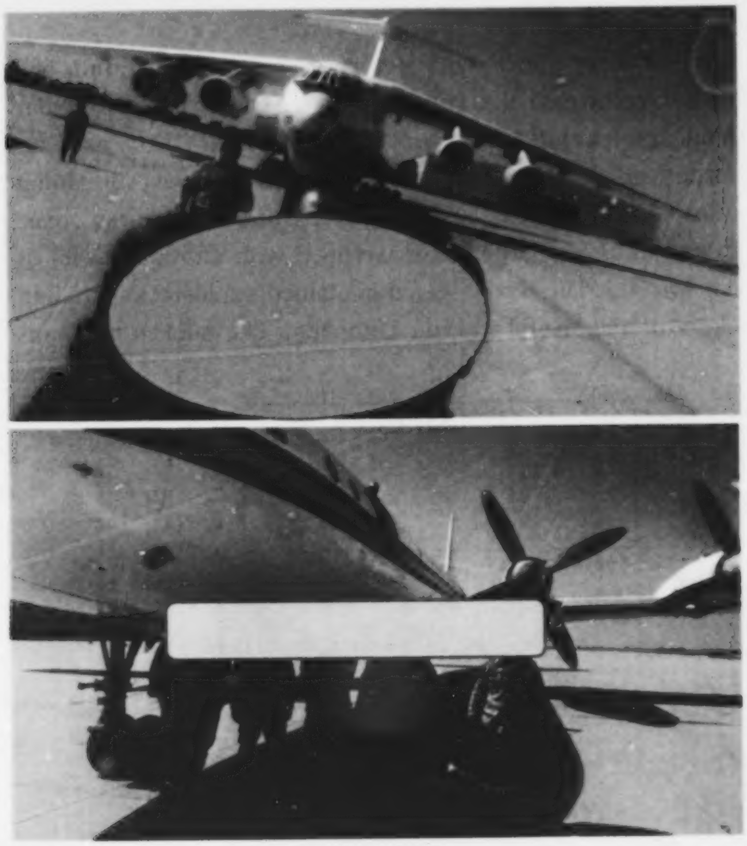
[11] Rise Moldova, "Avioane De Razboi", 30 November 2017, https://www.rise.md/video-avioane-de-razboi/

Picture 13 IL-76 sighted in Benina, 4-6 May 2017 IL 18D sighted in Benina, May 2017



[redacted]

[redacted]

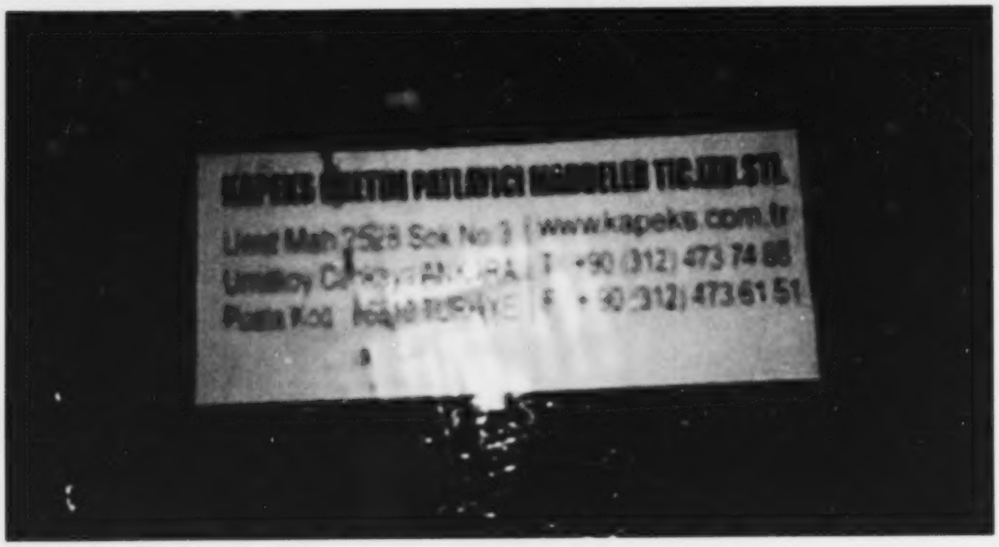
Source: Confidential

Annex 32 Detonating cord

16. The case of the vessel El-Mukhtar (see paragraph **Error! Reference source not found.** and **Error! Reference source not found.**) has confirmed the Panel's previous reporting on regular weapons transfers from Misrata to the Benghazi Revolutionary Shura Council (BRSC). The Panel has received footage of LNA specialized units defusing IEDs in Benghazi featuring large boxes containing detonating cords manufactured by an explosive manufacturer based in Turkey. and surrounding areas. Part of that footage shows the seizure in early 2017 of large boxes wrapped with multiple layers of plastic foil on board a vessel sailing from Misrata. The boxes seized contained explosives including detonating cords and still featured stickers of the manufacturing company. The sticker mentions following company information:

KAPEKS URETIM PATLAYICI MADDELER TIC LTD.STI
Umit Mah 2528 Sok.No3 Cankaya Ankara
Posta Kodu 06810 Turkiye
www.kapeks.com.tn

Picture 14 Close-up of the Kapeks company sticker on one of the boxes



Source: Confidential, 2017

Picture 15 Detonating cord produced by Kapeks Ltd. (One of the boxes featuring the caution symbol for explosives and an unpacked roll of detonating cord above the box)

Source: Confidential, 2017

17. The same detonating cord is featured on the website of the company.[12] In reply to the Panel's inquiries, the Turkish authorities declared that the company had no records of exports to Libya between the dates 1 March 2011 and 4 October 2017.

---

[12] Kapeks company website presenting type of detonation chord: http://www.kapeks.com.tr/detonating-cord.22.22.

Annex 33 Khalifa Hafter's visit to Tunis

18. Based on the analysis of the video footage and pictures released by the LNA's media office, the equipment transferred out of Libya includes at least:

- 30 self-loading rifles
- 2 marksman rifles
- 2 Rocket- propelled grenade launchers (RPG)
- Over 30 handguns (9mm)
- One roof-mounted counter-IED system

19. As video footage of his visit documents, he flew on a private airplane and his security detail landed at Tunis Carthage Airport on board of an IL-76TD cargo airplane.

Picture 16 Haftar's special protection forces in front of IL-76TD cargo airplane

Source: Media Office – General Command of the LNA[13]

---

[13] Video available at Media Office channel: http://www.youtube.com/watch?time_continue=2&v=qf9ZfK96GNs.

Picture 17 Protection unit with RPG

Source: Ibid.

20. Haftar flew from eastern Libya to Tunis on board a private F900 jet with the tail number P4-RMA. The Falcon jet plane is owned by a UAE-based company called Sonnig International Group Ltd, and operated by Golden Eagle Trading FZE based in Dubai but registered in the Caribbean Netherlands. The CEO of Sonnig confirmed to the Panel that he is also the CEO of Golden Eagle Trading. The companies have set up an operational branch at the Benghazi airport and charter two Falcon jets amongst others to Khalifa Haftar.

Annex 34 Tunisia

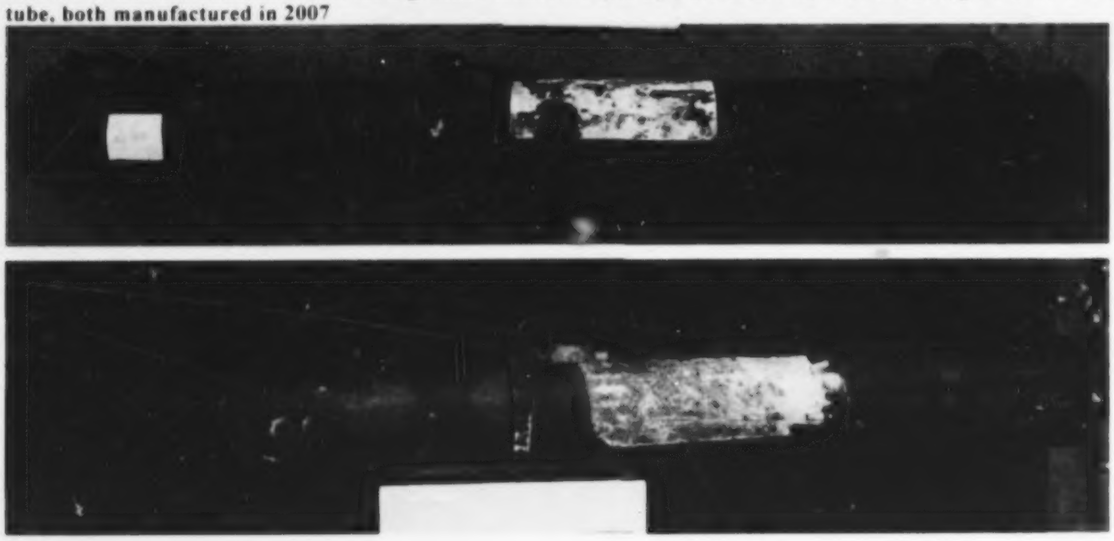
21. The Panel received information on only two seized caches:

Date	Location	Materiel
12.07.2017	Sfax	Unspecified arms cache
07.02.2017	Sakah (Remada)	6 rocket-propelled grenade launchers; 1 AKM self-loading rifle

Source: Confidential

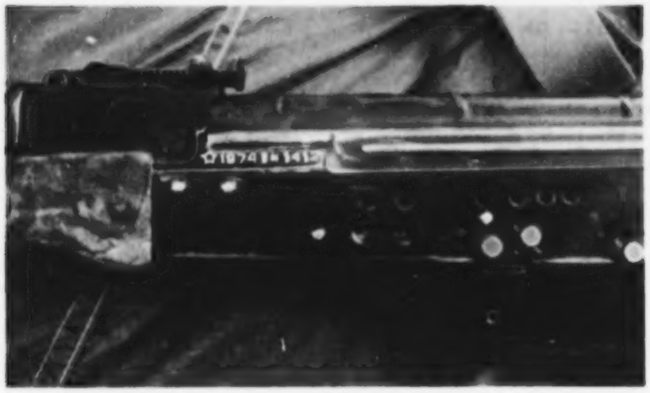
13. The Panel documented the arms seized and stocked with the Tunisian National Army. The material offers little clue to any specific source of arms other then those identified in previous reports (see S/2017/466 para 171 and 172).

Picture 18 Several hand-held anti-tank grenade launchers (RPG) were seized in 2017 including RPG 27 and RPG 26 tube, both manufactured in 2007



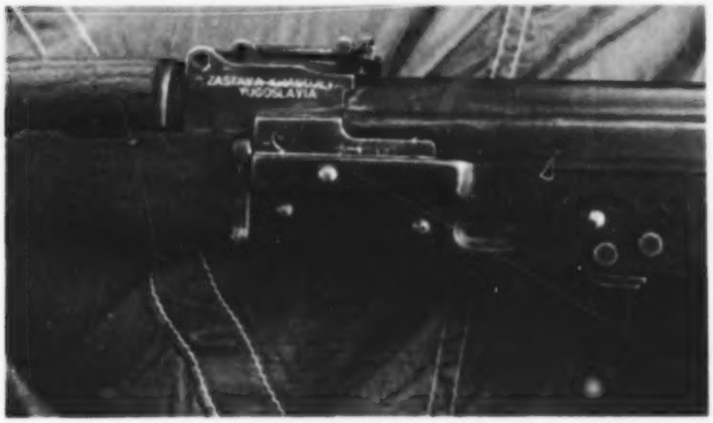
Source: Panel of Experts

Picture 19 AKM-type self-loading rifle, Tula Arsenal, Russia



Source: Panel of Experts

Picture 20 AKM-type self-loading rifle, Zastava factory, Yugoslavia (Serbia)



Source: Panel of Experts

Annex 35 Seized arms and related material in Niger

1. The Panel has received photographs and lists of weapons seized by the Gendarmerie from late 2016 to July 2017 in the regions of Arlit, Bilma, Dirkou and Madama.

Materiel	Quantity
AK-pattern self-loading rifles	57
PKM machine gun	3
Dragunov marksman rifle	2
FN FAL self-loading rifle	9
Shotgun	1
Pump-action rifle	4
Grenade launcher	1
9mm submachine gun	1
RPG 7	4
Unidentified rocket launcher	4
Handgun	11
Ammunition	6197
Magazines	151

2. Conflict Armament Research has further shared with the Panel pictures and data on weapons and ammunition seized in Niger until March 2017. For most of these arms the Libyan origin is highly probable as detailed below.

Materiel	Quantity	Country of manufacture
AK-pattern self-loading rifle	84	Algeria (2), Bulgaria (4), China (16), Czechoslovakia (1), East-Germany (5), Egypt (4) Hungary (1), Iraq (2), Poland (10), Romania (14), Russia (24), Yugoslavia (1)
Blank pistols (9 x 22 mm)	62	Turkey (49)
7.62 x 51 mm self-loading rifle	10	Belgium (6), France (4)
RPG-launchers	5	Bulgaria (5)
Semi-automatic pistols	3	Brazil (1), Czechoslovakia (1), France (1)
5.56 x 45 mm self-loading rifle	2	Israel (2)
Pump-action shotgun	2	Turkey (2)
Sniper rifle	1	Romania (1)

Annex 36 AIK trading and White Star company

The risk of diversion and misuse of end-user certificates

1. The Deputy Minister of Defence, Khaled al-Sharif, figured most prominently as signatory of end-user certificates for large-scale transfers of small arms and light weapons as well as ammunition. Khaled al-Sharif has stated to the Panel that in his function he was in charge of signing end-user certificates, but was not the person deciding about the purchase of equipment. The Minister of Defence or the Chief of Staff were generally deciding on purchases and needed verification by the Military Procurement Department.

AIK Trading

2. The Panel obtained an of the end-user certificate that indicates a possible instance of non-compliance with the arms embargo in mid-2013. On 17 September 2013, Bulgaria submitted an incomplete notification to the Committee on the transfer of 2,028,000 rounds of 7.62x39mm ammunition. The exporting Bulgarian company was Vazovski Machinostroitelni Zavodi (VMZ) and the broker was AIK Trading Limited registered in Cyprus. Based on the Panel's enquiry Bulgaria, noted that the export licence for the ammunition was cancelled on 15 October 2013. AIK Ltd however received on 5 June 2013 the full payment showed on the proforma invoice of Euro 381,264.00.

3. The money was transferred throught the account of company registered in Tunisia, called "Société Al Bayan de Commerce International" (Al Bayan). The transfer from Al Bayan suggests that the delivery had taken place before a licence was issued.

4. Khaled al-Sharif denied that he had any involvement in the transaction. He insisted that the end-user certificate features a forged signature. He pointed out that he used to always add a signature next to his signature, which was missing on the copy obtained by the Panel. Therefore, the Panel verified the end-user certificate submitted by Bulgaria on 17 September 2013. This copy features a hand-written date just next to his signature.

White Star company

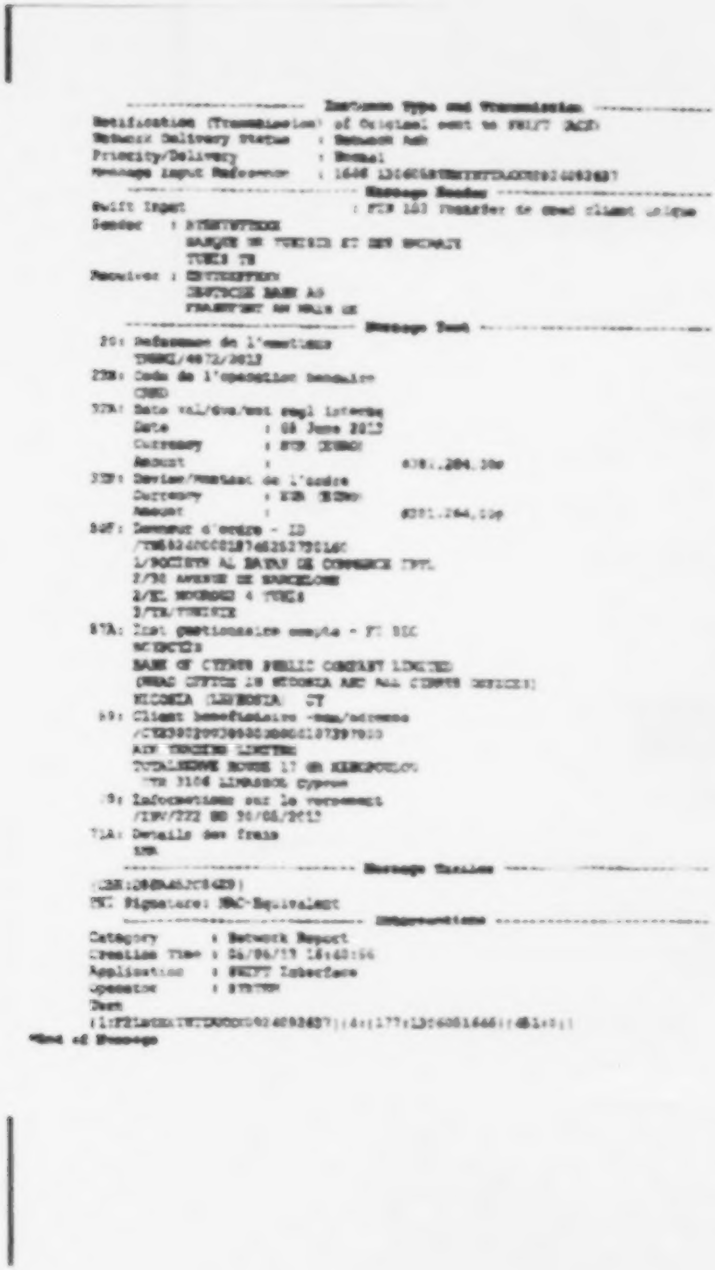
5. The Panel reviewed the financial transaction from Al Bayan's Tunisian bank account. From January 2013 to May 2015, the company received funds from several Libyan accounts of over 253 million USD. In the same time period, the company transferred approximately the same amount of money to companies and offshore trading companies in several countries. Further investigations brought to light a payment of two million Euro to a Greek company. The company confirmed to the Panel that it was the down payment by the Libyan company White Star for the purchase of 181 tanker trucks for the Ministry of Defence.

6. A Greek broker had introduced the Greek manufacturer to Khaled al-Sharif. The first meeting in Tripoli in early 2013 was attended by Khaled al-Sharif, Abd al-Hakim Belhaj, and the Director of White Star Mustapha Abd al-Rahman. It was followed by a visit to the factory in Greece to Athens.

White Star signed the contract to purchase 181 tanker trucks. The down payment of 2 million Euro, however, was done through the intermediary of Al Bayan's Tunisian bank account

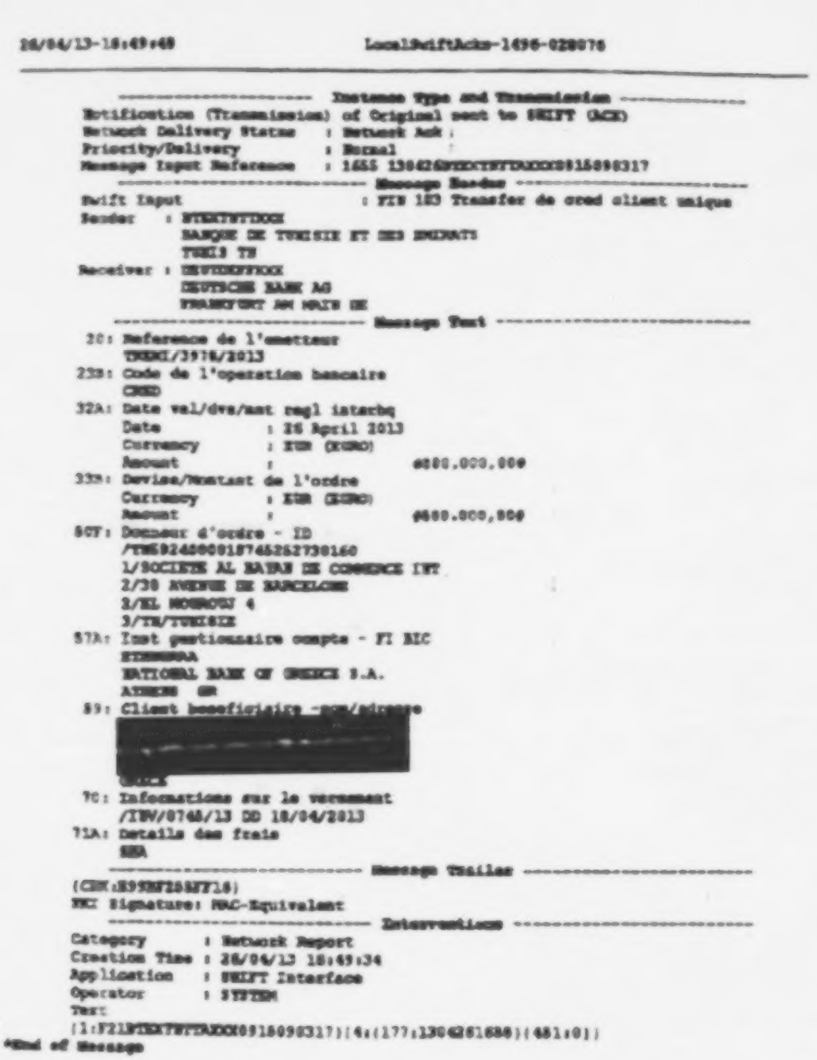
7. It seems that Al Bayan was used to channel money from Libyan companies to veil the origin of the funds. The Panel, therefore, investigated whether Mr. Sharif or Mr Belhadj had any private interests in the White Star company. Mr. Sharif and Mr Belhadj confirmed to the Panel that they visited the factory in Greece. They both stressed that they had not connections with White Star, but knew the director, Abd al-Rahman. The managers of the Greek company, on contrast, mentioned that Mr. Sharif had given the instruction to Mr. Abd al-Rahaman to conclude the deal. The managers of the Greek company was under the impression that White Star and al Bayan were used as front companies.

Bank transfer from Al Bayan to AIK Traiding Limited, Cyprus, dated 08.06.2017



Source: Confidential

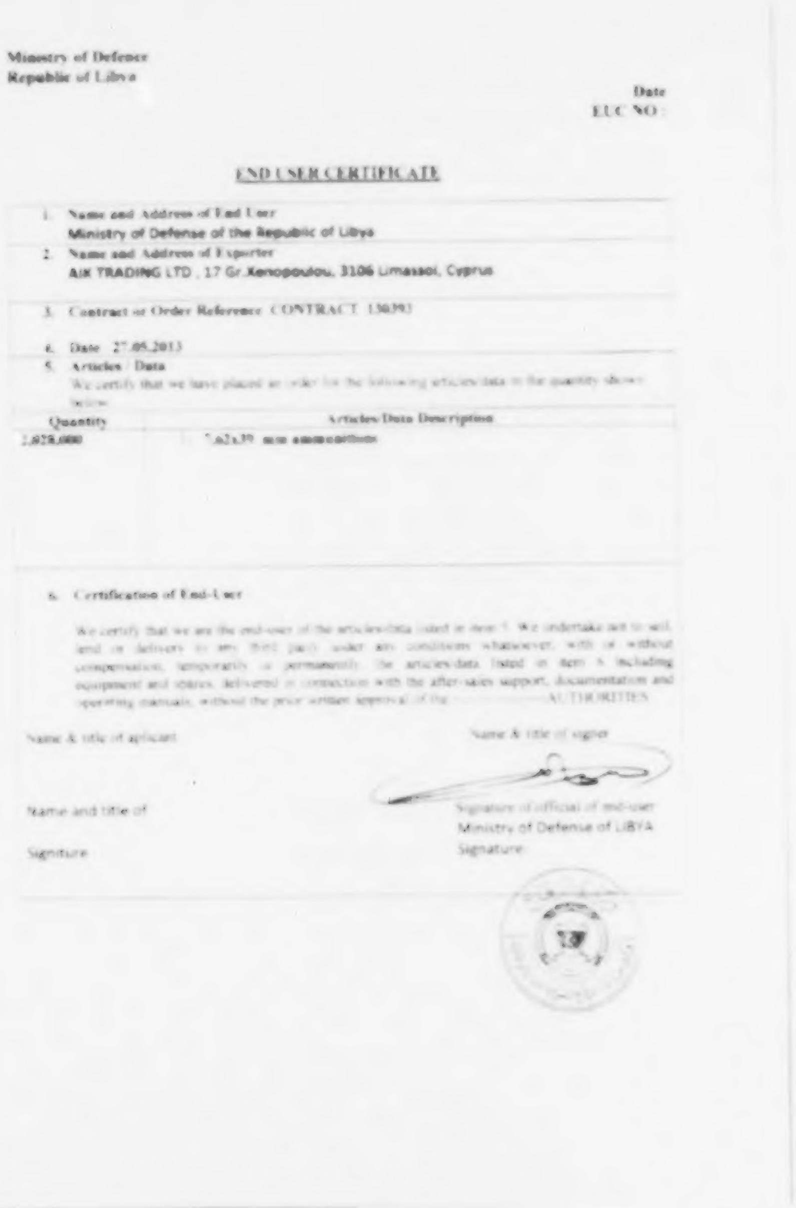
Bank transfer from the same Al Bayan account to Greek company, dated 26.04.2013



```
26/04/13-16:49:48                    LocalSwiftAcks-1496-028076
________________________________________________________________________
          -------------------- Instance Type and Transmission ------------
     Notification (Transmission) of Original sent to SWIFT (ACK)
     Network Delivery Status     : Network Ack
     Priority/Delivery           : Normal
     Message Input Reference     : 1655 130426BTEXTNTTAXXX0815090317
          ------------------------- Message Header -----------------------
     Swift Input                    : FIN 103 Transfer de cred client unique
     Sender   : BTEXTNTTXXX
                BANQUE DE TUNISIE ET DES EMIRATS
                TUNIS TN
     Receiver : DEUTDEFFXXX
                DEUTSCHE BANK AG
                FRANKFURT AM MAIN DE
          ------------------------- Message Text -------------------------
      20: Reference de l'emetteur
          TREMI/3976/2013
     23B: Code de l'operation bancaire
          CRED
     32A: Date val/dvs/mnt regl interbq
          Date            : 26 April 2013
          Currency        : EUR (EURO)
          Amount          :                 €600.000,00
     33B: Devise/Montant de l'ordre
          Currency        : EUR (EURO)
          Amount          :                 €600.000,00
     50F: Donneur d'ordre - ID
          /TN5924000018745252730160
          1/SOCIETE AL BAYAN DE COMMERCE INT
          2/30 AVENUE DE BARCELONE
          3/EL MOUROUJ 4
          3/TN/TUNISIE
     57A: Inst gestionnaire compte - FI BIC
          ETHNGRAA
          NATIONAL BANK OF GREECE S.A.
          ATHENS  GR
      59: Client beneficiaire -nom/adresse
          [redacted]
      70: Informations sur le versement
          /INV/0748/13 DD 18/04/2013
     71A: Details des frais
          SHA
          ------------------------- Message Trailer ----------------------
     {CHK:E958F258FF18}
     PKI Signature: MAC-Equivalent
          ------------------------- Interventions ------------------------
     Category       : Network Report
     Creation Time  : 26/04/13 16:49:34
     Application    : SWIFT Interface
     Operator       : SYSTEM
     Text
     {1:F21BTEXTNTTAXXX0815090317}{4:{177:1304261655}{451:0}}
*End of Message
```

Source: Confidential

EUC for AIK Trading Ltd Contract signed by Khaled al-Sharif, dated 27.05.2013



Ministry of Defence
Republic of Libya

Date
EUC NO :

END USER CERTIFICATE

1. Name and Address of End User
   Ministry of Defense of the Republic of Libya
2. Name and Address of Exporter
   AIK TRADING LTD , 17 Gr.Xenopoulou, 3106 Limassol, Cyprus
3. Contract or Order Reference CONTRACT 130393
4. Date 27.05.2013
5. Articles / Data
   We certify that we have placed an order for the following articles/data in the quantity shown below

Quantity	Articles/Data Description
2,028,000	7.62x39 mm ammunition

6. Certification of End-User

We certify that we are the end-user of the articles/data listed in item 5. We undertake not to sell, lend or delivery to any third party under any conditions whatsoever, with or without compensation, temporarily or permanently, the articles/data listed in item 5 including equipment and spares, delivered in connection with the after-sales support, documentation and operating manuals, without the prior written approval of the ——————AUTHORITIES

Name & title of aplicant

Name & title of signer

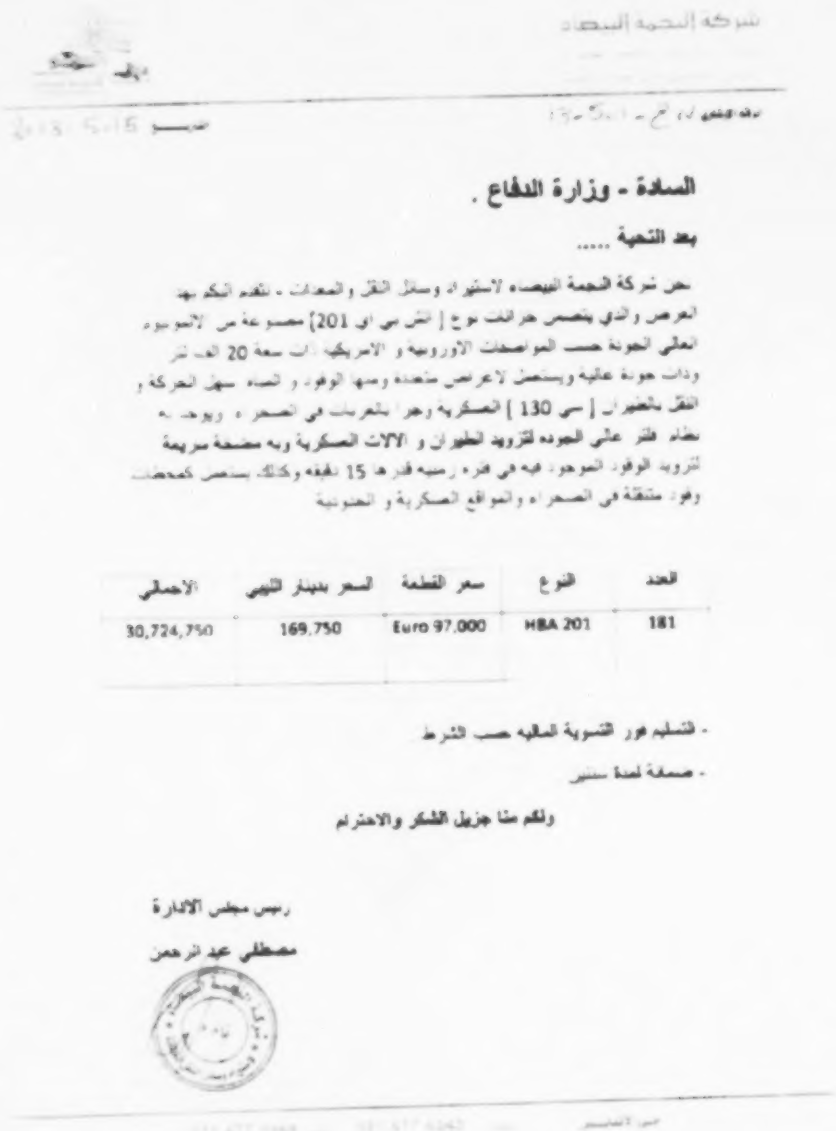
Name and title of

Signature of official of end-user
Ministry of Defense of LIBYA
Signature:

Signiture

Source: Confidential

Offer for 181 trucks from White Star Company to Ministry of Defence signed by Mustapha Abd al-Raham, dated 15.05.2013



شركة النجمة البيضاء

الرقم الإشاري / [illegible]

تحريرا 15-5-2013

السادة - وزارة الدفاع .

بعد التحية .....

نحن شركة النجمة البيضاء لاستيراد وسائل النقل والمعدات ، نتقدم اليكم بهذا العرض والذي يتخصص جرارات نوع [اتش بي اي 201] مصنوعة من الالمونيوم العالي الجودة حسب المواصفات الاوروبية و الامريكية ذات سعة 20 الف لتر وذات جودة عالية ويستعمل لاغراض متعددة ومنها الوقود و الماء سهل الحركة و النقل بالطيران [سي 130] العسكرية وجرا بالعربات في الصحراء ويوجد به نظام فلتر عالي الجوده لتزويد الطيران و الالات العسكرية وبه مضخة سريعة لتزويد الوقود الموجود فيه في فترة زمنية قدرها 15 دقيقه وكذلك يستعمل كمحطات وقود متنقلة في الصحراء والمواقع العسكرية و الحدودية

العدد	النوع	سعر القطعة	السعر بالدينار الليبي	الاجمالي
181	HBA 201	Euro 97,000	169,750	30,724,750

- التسليم فور التسوية المالية حسب الشرط.
- ضمانة لمدة سنتين

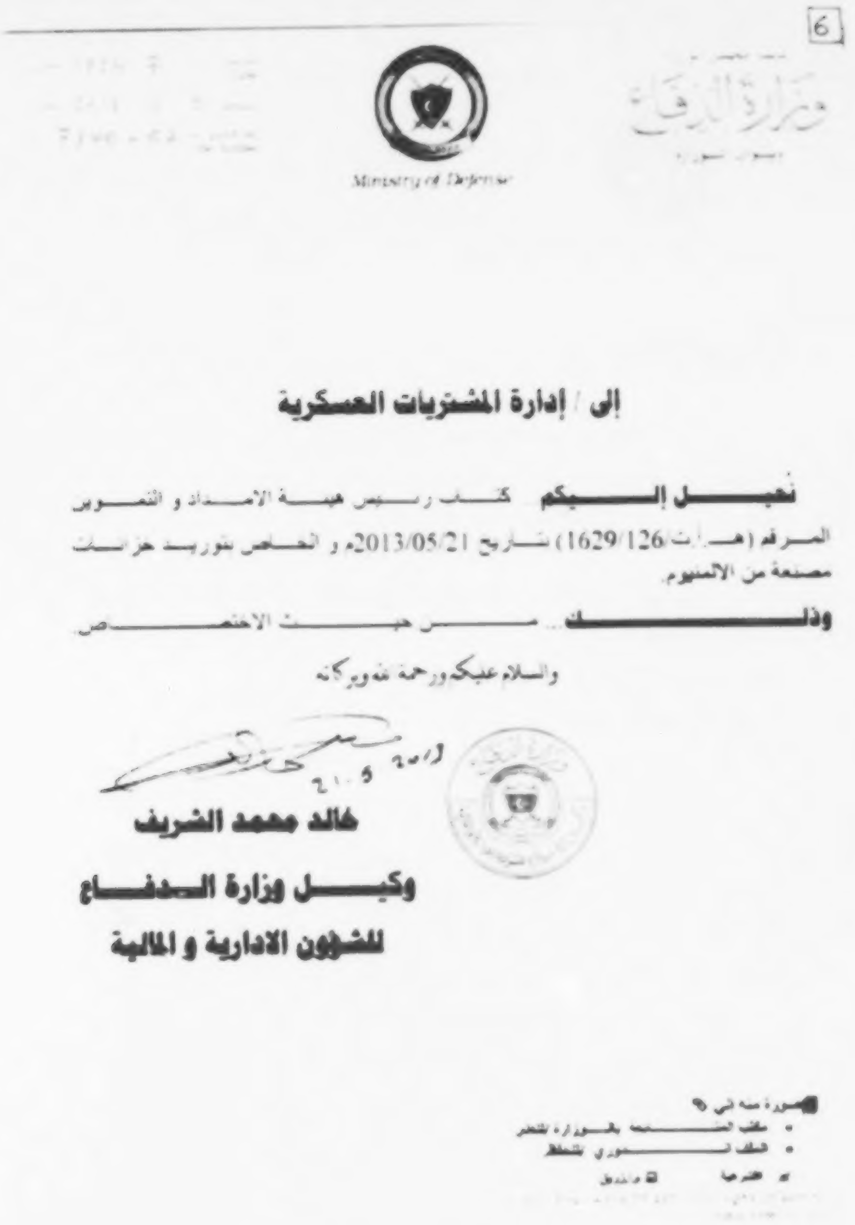
ولكم منا جزيل الشكر والاحترام

رئيس مجلس الادارة

مصطفى عبد الرحمن

Source: Confidential

Request for procurement of tanker trucks by Khaled al-Sharif



6

وزارة الدفاع

Ministry of Defense

إلى / إدارة المشتريات العسكرية

نحيـــــل إلـــــيكم كتـــاب رئـــيس هيئـــة الإمـــداد و التمـــوين المـــرقم (هـ.إ.ت/1629/126) بتـــاريخ 2013/05/21م و الخـــاص بتوريـــد خزانـــات مصنعة من الالمنيوم.

وذلـــــــــــــك... مـــــــــن حيـــــــث الاختصـــــــــاص.

والسلام عليكم ورحمة الله وبركاته

21-5 2013

خالد محمد الشريف

وكيـــــل وزارة الـــدفـــاع

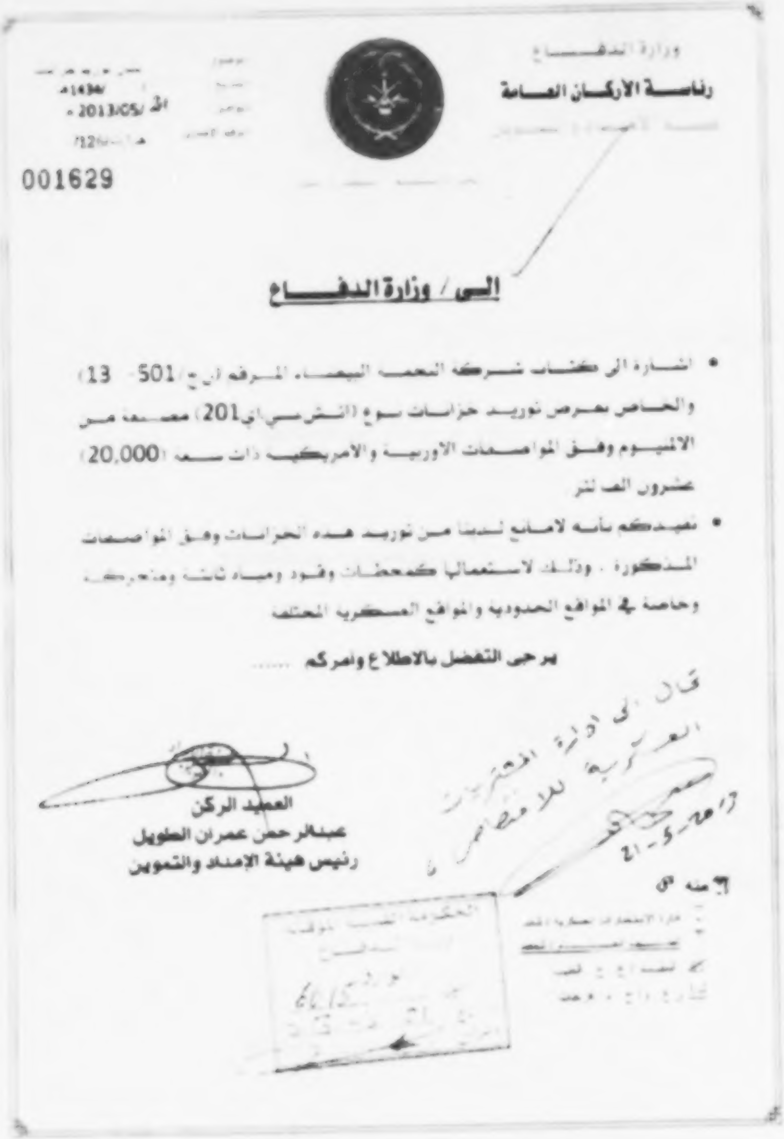
للشؤون الادارية و المالية

صورة منه إلى:

- مكتب [illegible] بالــــوزارة للعلم
- الملف الـــــــدوري للحفظ

Source: Confidential

Approval of the procurement of tanker trucks by White Star Company signed by Khaled al-Sharif and Abd al-Raham al-Tawil



وزارة الدفاع
رئاسة الأركان العامة

1434هـ
2013/05/ م

001629

الى / وزارة الدفاع

- اشارة الى كتاب شركة النجمة البيضاء المرقم ا ن ج/ 501 - 13) والخاص بعرض توريد خزانات نوع (التشرسي اي 201) مصنعة من الالمنيوم وفق المواصفات الاوربية والامريكية ذات سعة (20,000) عشرون الف لتر
- نفيدكم بأنه لامانع لدينا من توريد هذه الخزانات وفق المواصفات المذكورة . وذلك لاستعمالها كمحطات وقود ومياه ثابتة ومتحركة وخاصة في المواقع الحدودية والمواقع العسكرية المختلفة

يرجى التفضل بالاطلاع وامركم ......

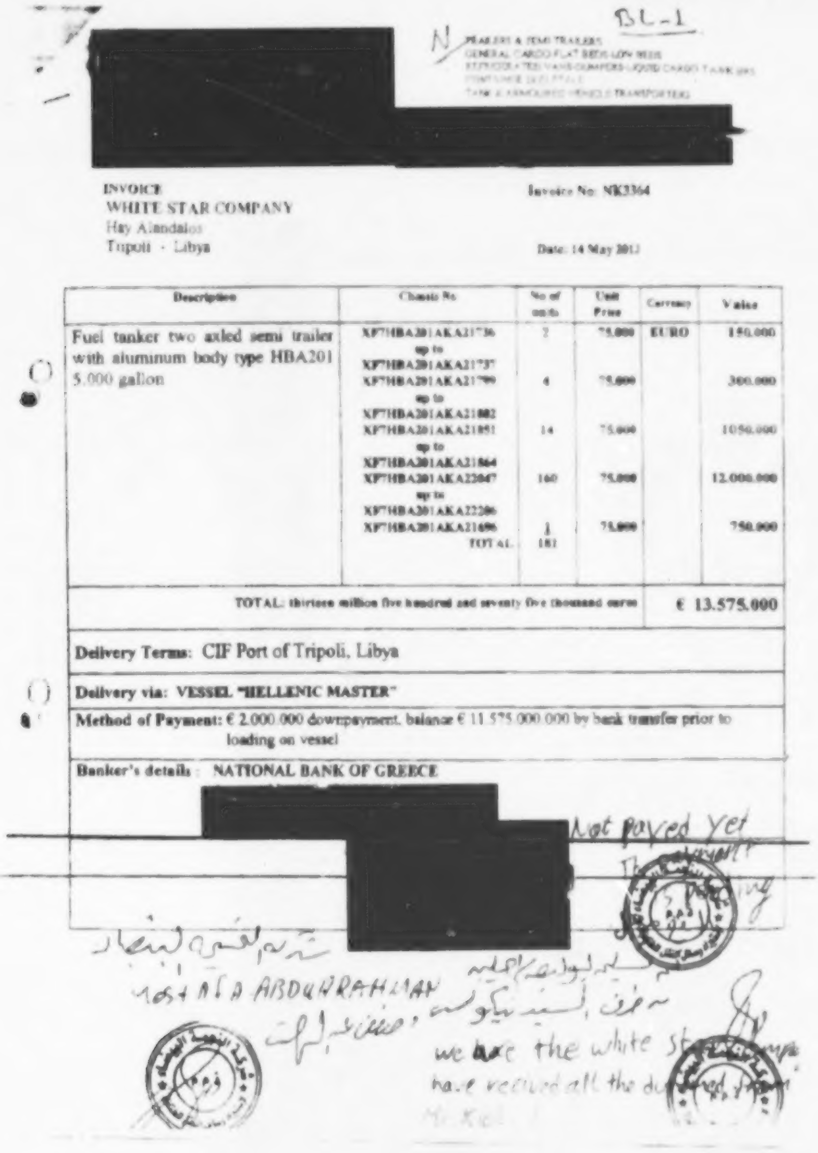
تحال الى ادارة المشتريات العسكرية للاختصاص
21-5-2013

العميد الركن
عبدالرحمن عمران الطويل
رئيس هيئة الإمداد والتموين

نسخة منه

Source: Confidential

Confirmation of delivery of the tanker trucks to Tripoli signed by White Star Company



[redacted]

N

BL-1

TRAILERS & SEMI TRAILERS
GENERAL CARGO FLAT BEDS LOW BEDS
REFRIGERATED VANS DUMPERS LIQUID CARGO TANKERS
CONTAINER [illegible]
TANK & ARMOURED VEHICLE TRANSPORTERS

INVOICE
WHITE STAR COMPANY
Hay Alandalus
Tripoli - Libya

Invoice No: NK3364

Date: 14 May 2013

Description	Chassis No	No of units	Unit Price	Currency	Value
Fuel tanker two axled semi trailer with aluminum body type HBA201 5.000 gallon	XF7HBA201AKA21736 up to XF7HBA201AKA21737	2	75.000	EURO	150.000
	XF7HBA201AKA21799 up to XF7HBA201AKA21802	4	75.000		300.000
	XF7HBA201AKA21851 up to XF7HBA201AKA21864	14	75.000		1050.000
	XF7HBA201AKA22047 up to XF7HBA201AKA22206	160	75.000		12.000.000
	XF7HBA201AKA21696	1	75.000		750.000
	TOTAL	181			
TOTAL: thirteen million five hundred and seventy five thousand euros					€ 13.575.000

Delivery Terms: CIF Port of Tripoli, Libya

Delivery via: VESSEL "HELLENIC MASTER"

Method of Payment: € 2.000.000 downpayment, balance € 11.575.000.000 by bank transfer prior to loading on vessel

Banker's details: NATIONAL BANK OF GREECE

[redacted]

Not payed yet

The payment pending

[illegible]

MOSTAFA ABDURRAHMAN

[illegible]

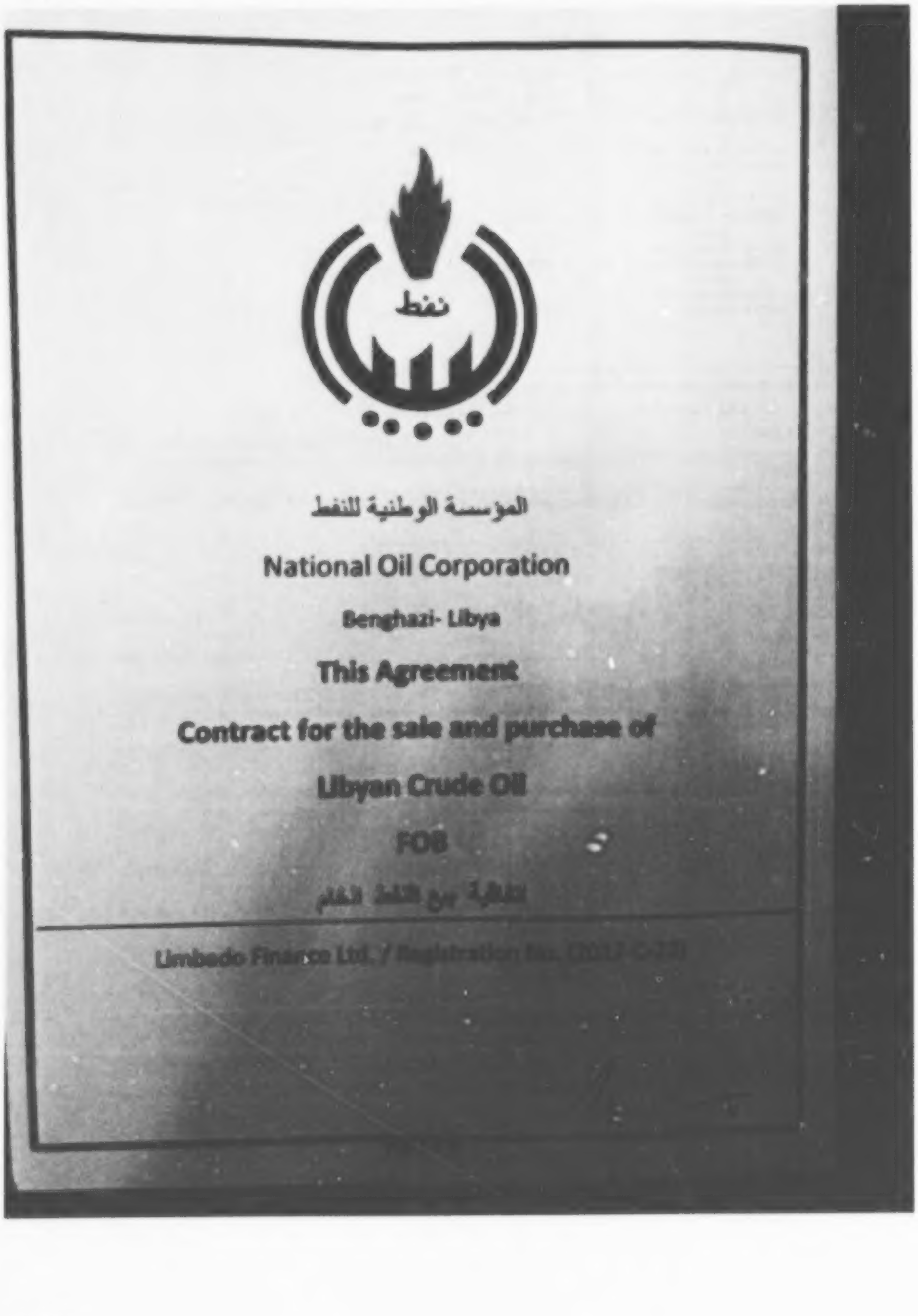
we are the white star company have recived all the delivered from Mr. Kiel

Source: Confidential

Annex 37 Documented attempts to illicitly export crude oil from Eastern National Oil Corporation

Limbado case

1. The following is an extract of the agreement signed between National Oil Corporation of Benghazi and "Limbado Finance Ltd." on 3 October 2017.



المؤسسة الوطنية للنفط

National Oil Corporation

Benghazi- Libya

This Agreement

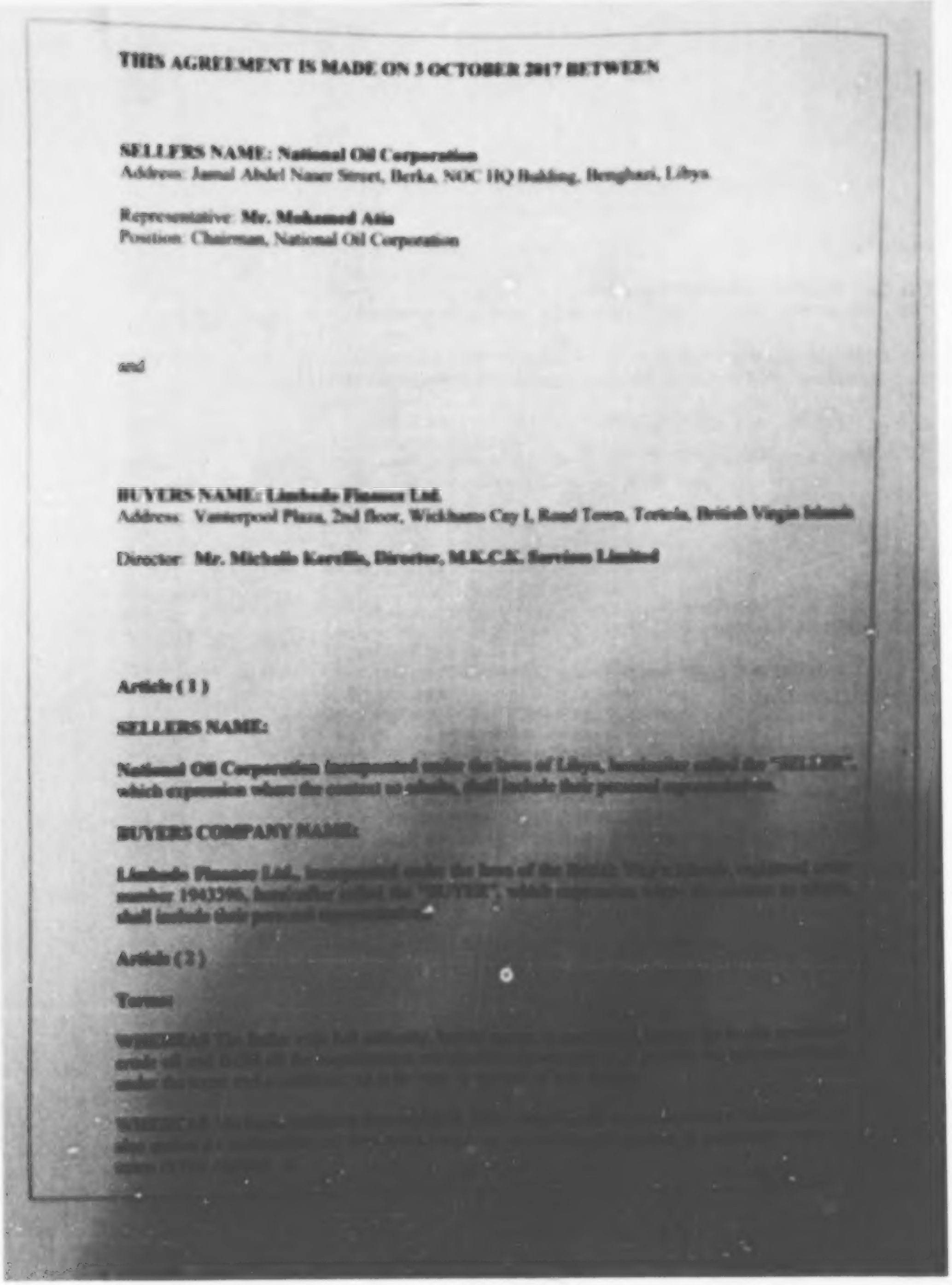
Contract for the sale and purchase of

Libyan Crude Oil

FOB

اتفاقية بيع النفط الخام

Limbado Finance Ltd. / Registration No. [illegible]



THIS AGREEMENT IS MADE ON 3 OCTOBER 2017 BETWEEN

SELLERS NAME: National Oil Corporation
Address: Jamal Abdel Naser Street, Berka, NOC HQ Building, Benghazi, Libya.

Representative: **Mr. Mohamed Atia**
Position: Chairman, National Oil Corporation

and

BUYERS NAME: Limbado Finance Ltd.
Address: **Vanterpool Plaza, 2nd floor, Wickhams Cay I, Road Town, Tortola, British Virgin Islands**

Director: **Mr. Michalis Kerellis, Director, M.K.C.K. Services Limited**

Article (1)

SELLERS NAME:

National Oil Corporation incorporated under the laws of Libya, hereinafter called the "SELLER", which expression where the context so admits, shall include their personal representatives.

BUYERS COMPANY NAME:

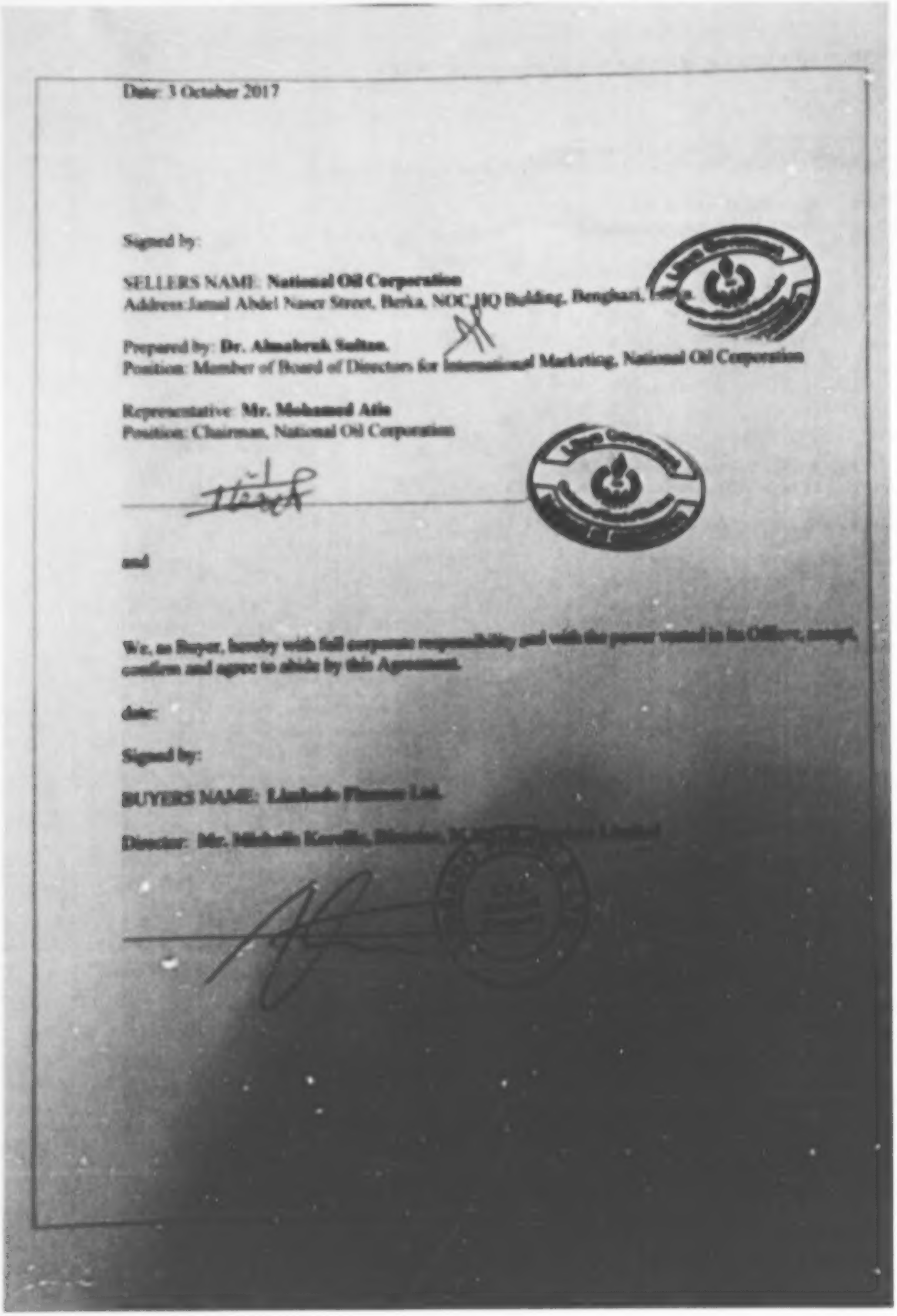
Limbado Finance Ltd., incorporated under the laws of the British Virgin Islands, registered under number 1943396, hereinafter called the "BUYER", which expression where the context so admits, shall include their personal representatives.

Article (2)

Terms:

WHEREAS The Seller with full authority, [illegible] crude oil and [illegible] under the terms and conditions [illegible]

WHEREAS [illegible]



Date: 3 October 2017

Signed by:

SELLERS NAME: **National Oil Corporation**
Address:Jamal Abdel Naser Street, Berka, NOC HQ Building, Benghazi, Libya.

Prepared by: **Dr. Almabruk Sultan.**
Position: Member of Board of Directors for International Marketing, National Oil Corporation

Representative: **Mr. Mohamed Atia**
Position: Chairman, National Oil Corporation

and

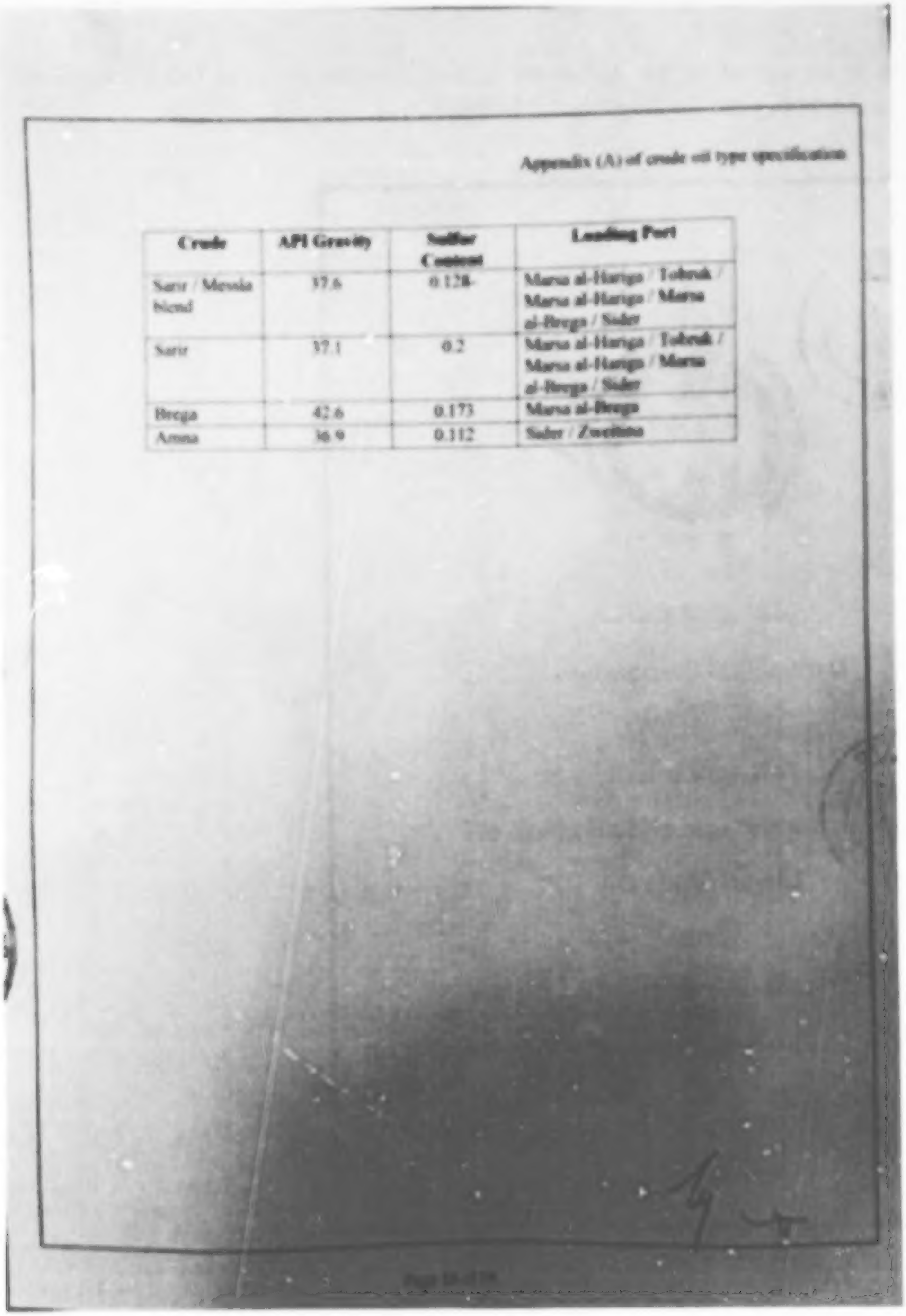
We, as Buyer, hereby with full corporate responsibility and with the power vested in its Officers, accept, confirm and agree to abide by this Agreement.

date:

Signed by:

BUYERS NAME: Limbado Finance Ltd.

Director: Mr. Michalis Korellis, Director, [illegible] Limited



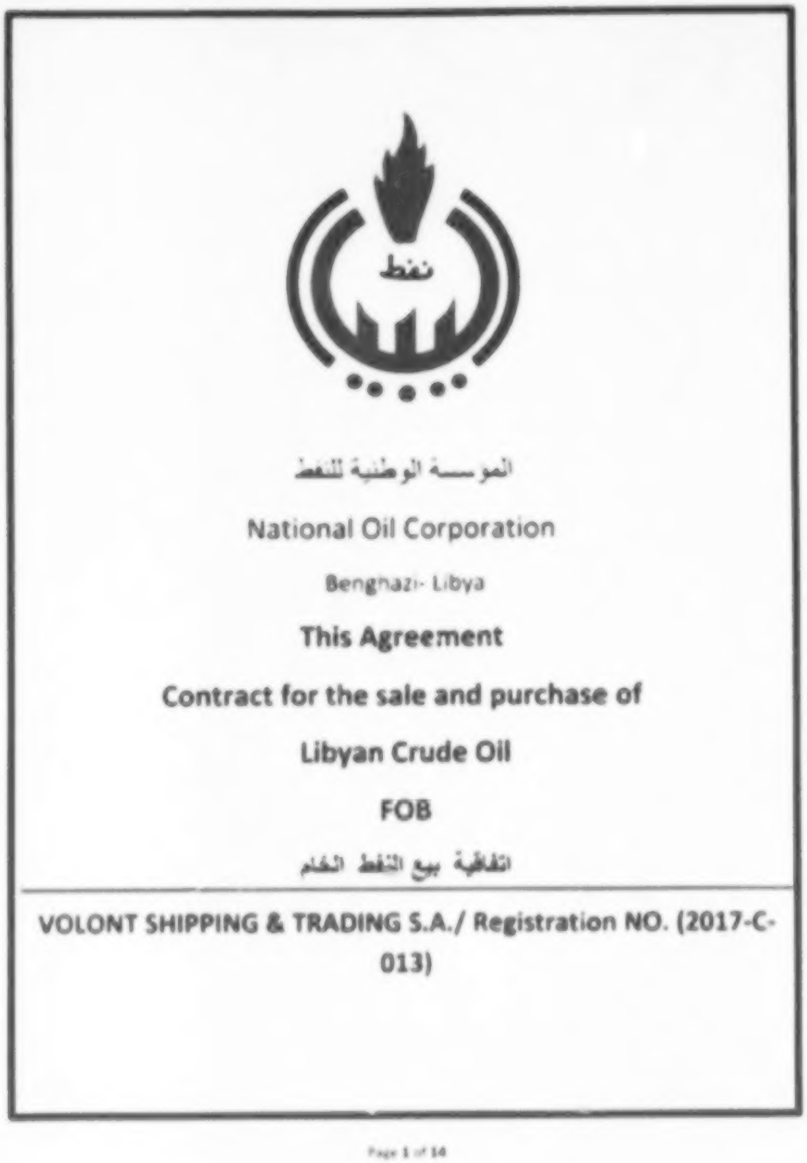
Appendix (A) of crude oil type specification

Crude	API Gravity	Sulfur Content	Loading Port
Sarir / Messla blend	37.6	0.128-	Marsa al-Hariga / Tobruk / Marsa al-Hariga / Marsa al-Brega / Sider
Sarir	37.1	0.2	Marsa al-Hariga / Tobruk / Marsa al-Hariga / Marsa al-Brega / Sider
Brega	42.6	0.173	Marsa al-Brega
Amna	36.9	0.112	Sider / Zueitina

Source: Confidential

Volont case

2. The following is an extract of the agreement signed between National Oil Corporation of Benghazi and "Volont Shipping and Trading." on 12 October 2017.



المؤسسة الوطنية للنفط

National Oil Corporation

Benghazi- Libya

This Agreement

Contract for the sale and purchase of

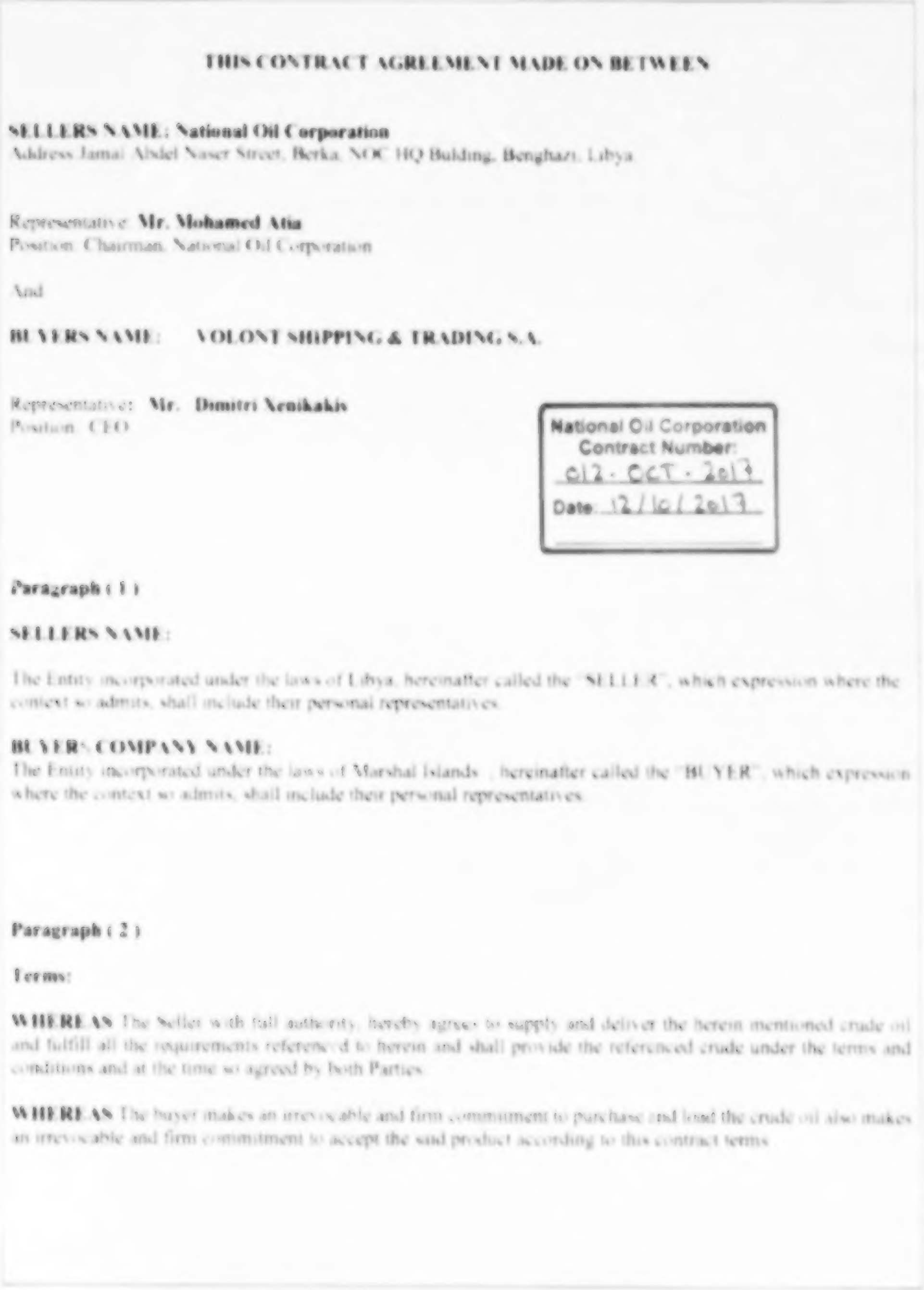
Libyan Crude Oil

FOB

اتفاقية بيع النفط الخام

VOLONT SHIPPING & TRADING S.A./ Registration NO. (2017-C-013)

Page 1 of 14



THIS CONTRACT AGREEMENT MADE ON BETWEEN

SELLERS NAME: National Oil Corporation
Address Jamal Abdel Naser Street, Berka, NOC HQ Building, Benghazi, Libya

Representative: **Mr. Mohamed Atia**
Position: Chairman, National Oil Corporation

And

BUYERS NAME: VOLONT SHIPPING & TRADING S.A.

Representative: **Mr. Dimitri Xenikakis**
Position: CEO

National Oil Corporation
Contract Number:
012 - OCT - 2017
Date: 12/10/2017

Paragraph (1)

SELLERS NAME:

The Entity incorporated under the laws of Libya, hereinafter called the "**SELLER**", which expression where the context so admits, shall include their personal representatives.

BUYERS COMPANY NAME:
The Entity incorporated under the laws of Marshal Islands , hereinafter called the "**BUYER**", which expression where the context so admits, shall include their personal representatives.

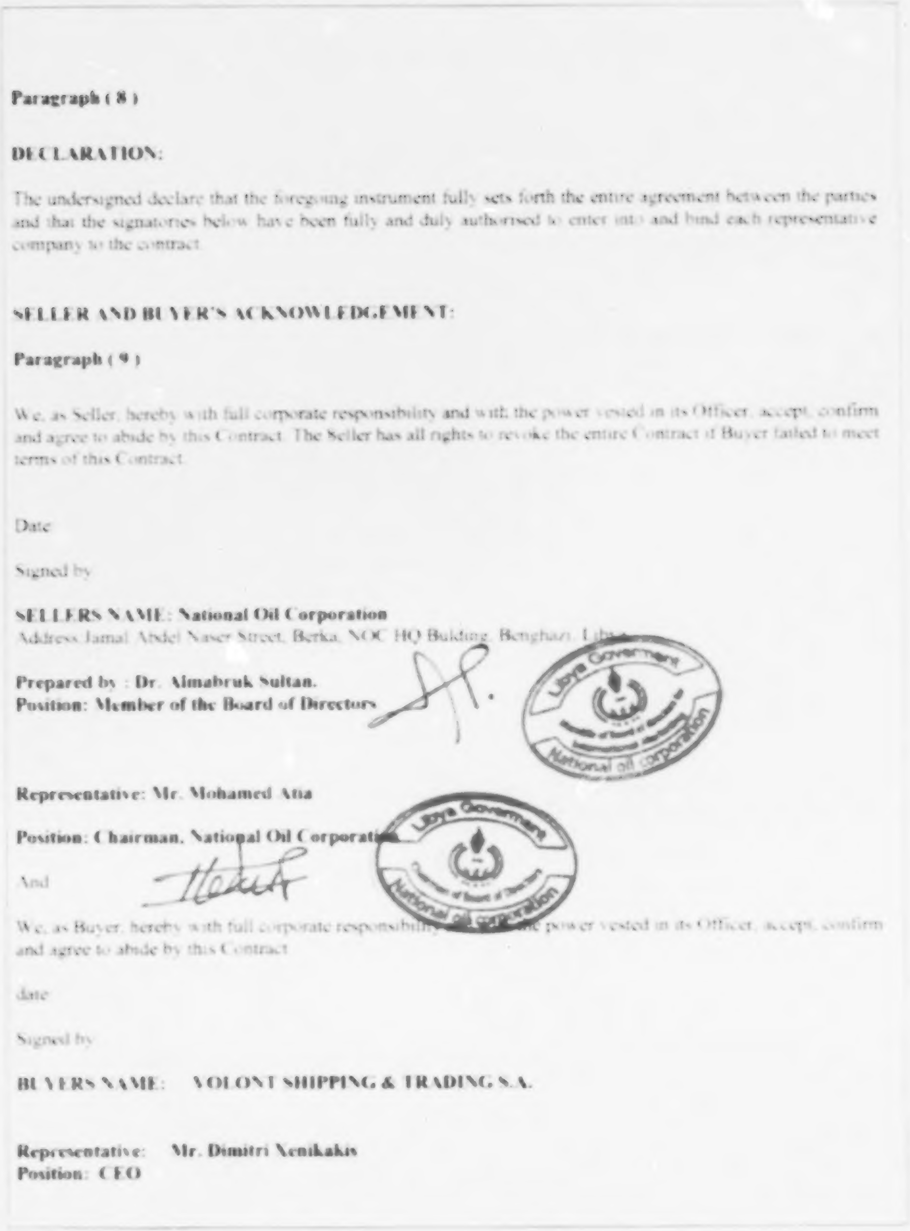
Paragraph (2)

Terms:

WHEREAS The Seller with full authority, hereby agrees to supply and deliver the herein mentioned crude oil and fulfill all the requirements referenced to herein and shall provide the referenced crude under the terms and conditions and at the time so agreed by both Parties.

WHEREAS The buyer makes an irrevocable and firm commitment to purchase and load the crude oil also makes an irrevocable and firm commitment to accept the said product according to this contract terms.

Page **2** of **14**



Paragraph (8)

DECLARATION:

The undersigned declare that the foregoing instrument fully sets forth the entire agreement between the parties and that the signatories below have been fully and duly authorised to enter into and bind each representative company to the contract.

SELLER AND BUYER'S ACKNOWLEDGEMENT:

Paragraph (9)

We, as Seller, hereby with full corporate responsibility and with the power vested in its Officer, accept, confirm and agree to abide by this Contract. The Seller has all rights to revoke the entire Contract if Buyer failed to meet terms of this Contract.

Date

Signed by

SELLERS NAME: National Oil Corporation
Address Jamal Abdel Naser Street, Berka, NOC HQ Bulding, Benghazi, Libya

Prepared by : Dr. Almabruk Sultan.
Position: Member of the Board of Directors

Representative: Mr. Mohamed Atia

Position: Chairman, National Oil Corporation

And

We, as Buyer, hereby with full corporate responsibility [illegible] the power vested in its Officer, accept, confirm and agree to abide by this Contract

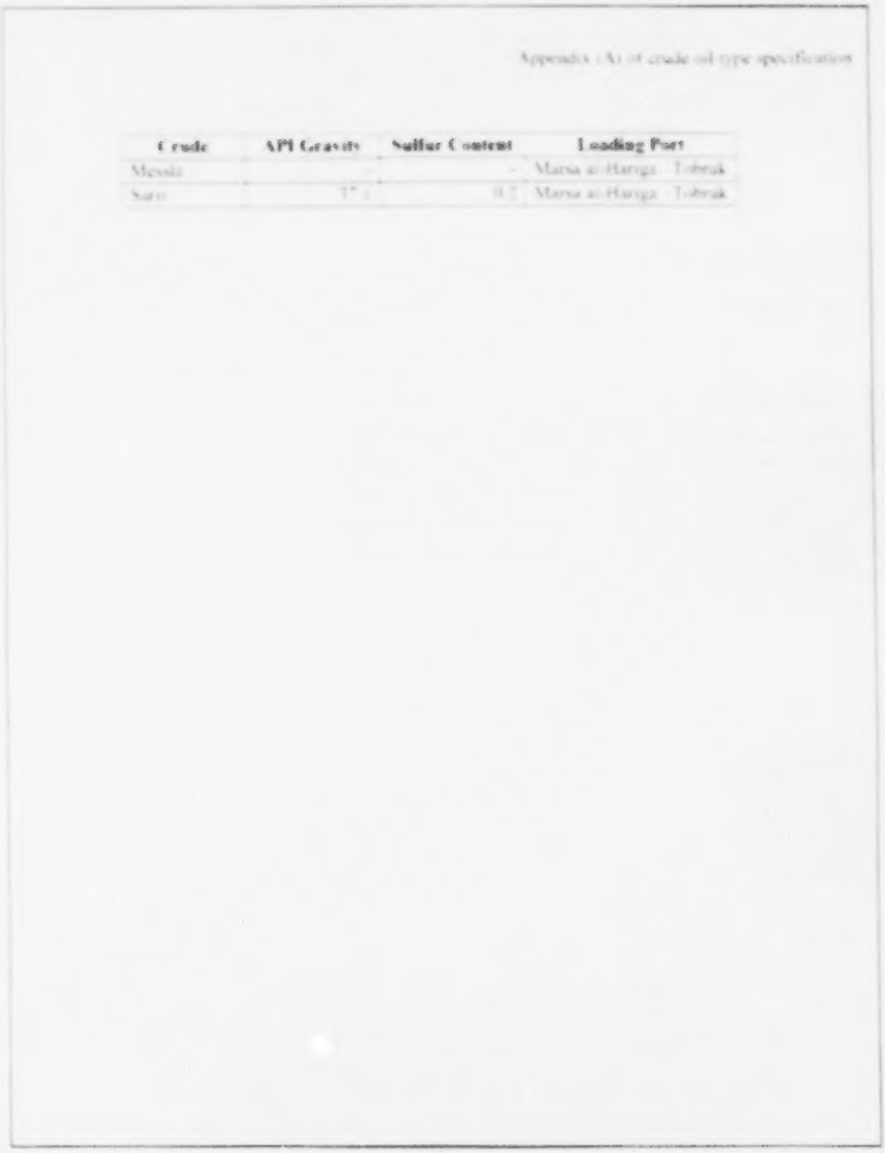
date

Signed by

BUYERS NAME: VOLONT SHIPPING & TRADING S.A.

Representative: Mr. Dimitri Xenikakis
Position: CEO

Page 13 of 14



Appendix (A) of crude oil type specification

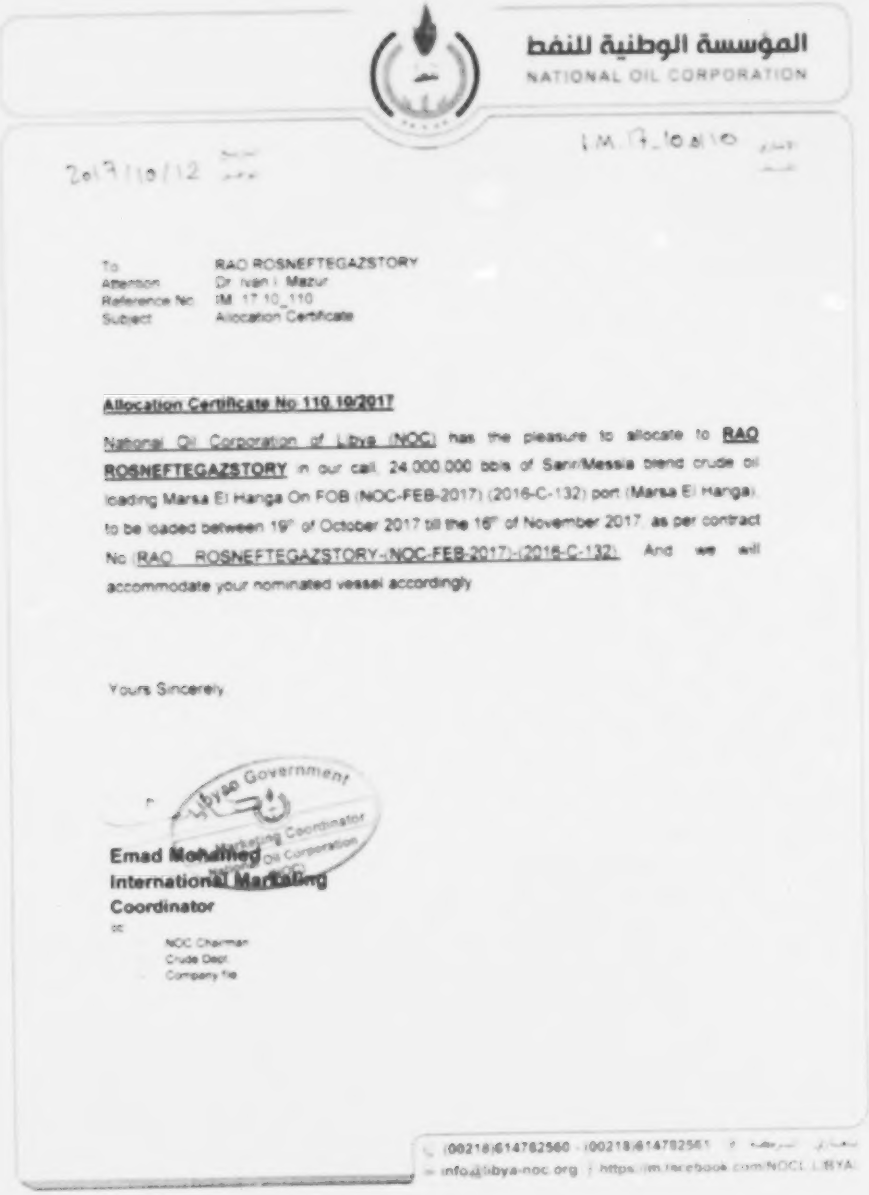
Crude	API Gravity	Sulfur Content	Loading Port
Mesla	-	-	Marsa al-Hariga - Tobruk
Sarir	[illegible]	0.2	Marsa al-Hariga - Tobruk

Page 14 of 14

Source: Confidential

Rao Rosneftegazstory case

3. The following is a letter signed by the National Oil Corporation of Benghazi to confirm a cargo availability in the favour of "Rao Rosneftegazstory", on 12 October 2017.



المؤسسة الوطنية للنفط
NATIONAL OIL CORPORATION

I.M.17_10_110

2017/10/12

To RAO ROSNEFTEGAZSTORY
Attention Dr. Ivan I. Mazur
Reference No IM 17.10_110
Subject Allocation Certificate

Allocation Certificate No 110.10/2017

National Oil Corporation of Libya (NOC) has the pleasure to allocate to **RAO ROSNEFTEGAZSTORY** in our call, 24.000.000 bbls of Sarir/Messla blend crude oil loading Marsa El Hanga On FOB (NOC-FEB-2017) (2016-C-132) port (Marsa El Hanga), to be loaded between 19th of October 2017 till the 16th of November 2017, as per contract No (RAO ROSNEFTEGAZSTORY-(NOC-FEB-2017)-(2016-C-132). And we will accommodate your nominated vessel accordingly

Yours Sincerely

Emad Mohamed
International Marketing
Coordinator

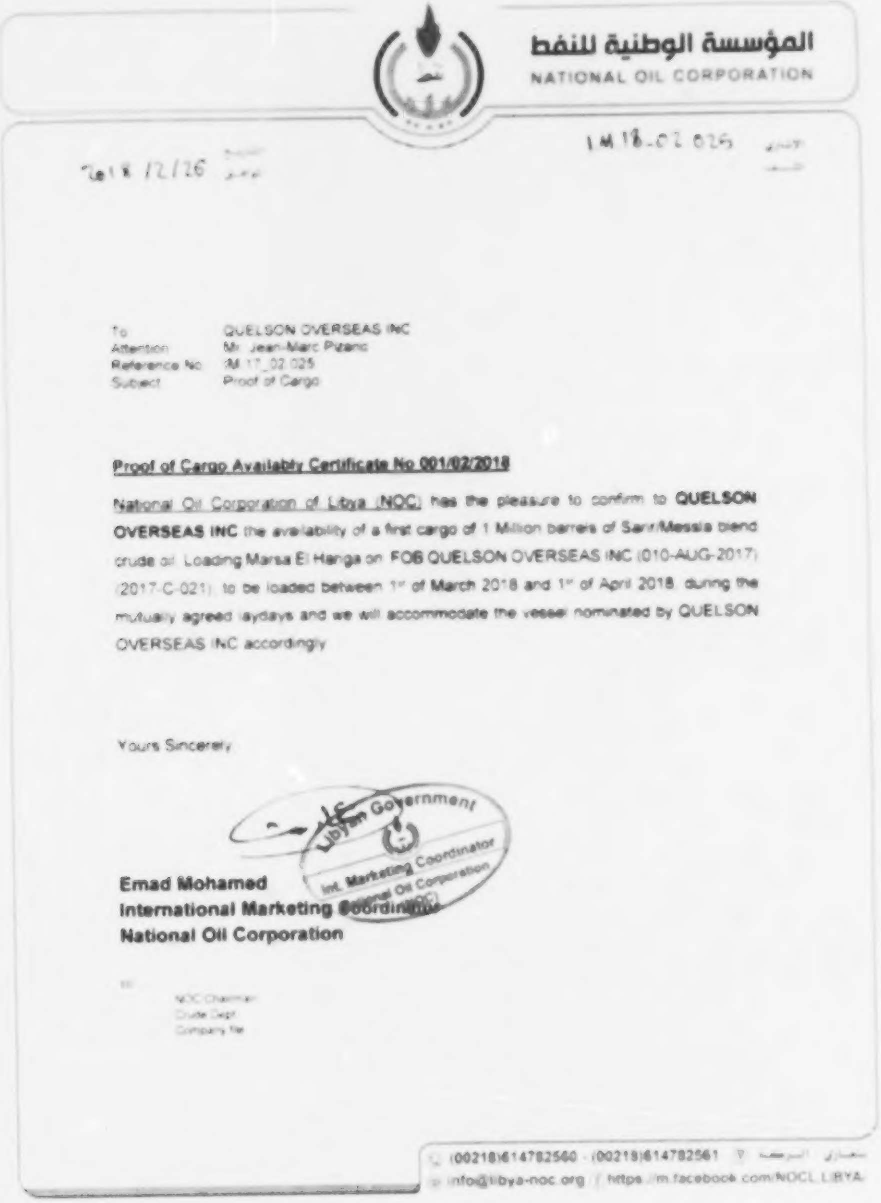
cc
NOC Chairman
Crude Dept.
Company file

(00218)614782560 - (00218)614782561
info@libya-noc.org | https://m.facebook.com/NOCL.LIBYA

Source: Confidential

Quelson case

4. The following is a letter signed by the National Oil Corporation of Benghazi to confirm a cargo availability in the favour of "Quelson Overseas Inc", on 26 February 2018.



المؤسسة الوطنية للنفط
NATIONAL OIL CORPORATION

IM 18-02 025

2018 /2/26

To QUELSON OVERSEAS INC
Attention Mr. Jean-Marc Pizano
Reference No IM 17_02 025
Subject Proof of Cargo

Proof of Cargo Availably Certificate No 001/02/2018

National Oil Corporation of Libya (NOC) has the pleasure to confirm to **QUELSON OVERSEAS INC** the availability of a first cargo of 1 Million barrels of Sarir/Messla blend crude oil. Loading Marsa El Hariga on FOB QUELSON OVERSEAS INC (010-AUG-2017) (2017-C-021), to be loaded between 1st of March 2018 and 1st of April 2018, during the mutually agreed laydays and we will accommodate the vessel nominated by QUELSON OVERSEAS INC accordingly.

Yours Sincerely

Libyan Government
Int. Marketing Coordinator
National Oil Corporation (NOC)

Emad Mohamed
International Marketing Coordinator
National Oil Corporation

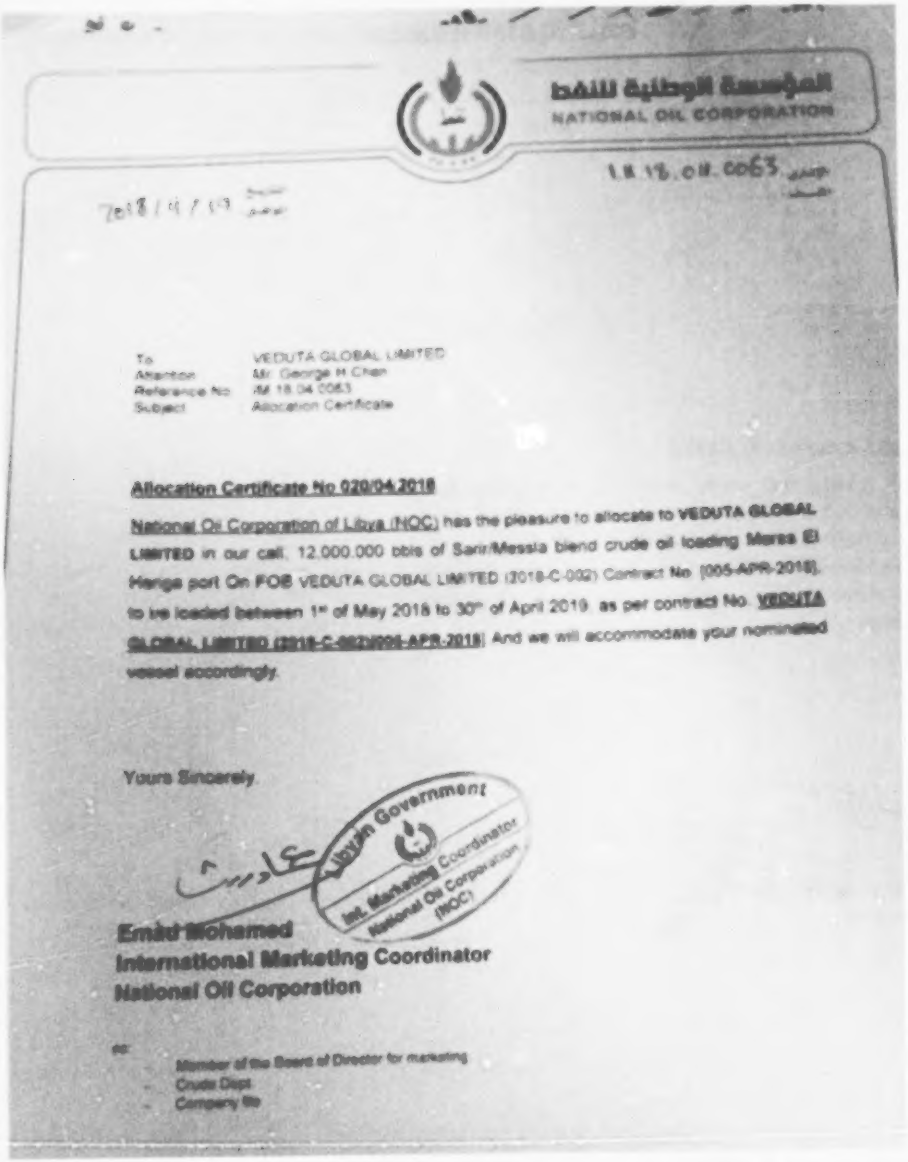
cc:
NOC Chairman
Crude Dept
Company file

(00218)614782560 - (00218)614782561
info@libya-noc.org | https://m.facebook.com/NOCL.LIBYA

Source: Confidential

Veduta case

5. The following is a letter signed by the National Oil Corporation of Benghazi to confirm a cargo availability in the favour of "Veduta Global Limited", on 19 April 2018.



المؤسسة الوطنية للنفط
NATIONAL OIL CORPORATION

IM.18.04.0063

2018/4/19

To VEDUTA GLOBAL LIMITED
Attention Mr. George H Chan
Reference No IM 18.04.0063
Subject Allocation Certificate

Allocation Certificate No 020/04.2018

National Oil Corporation of Libya (NOC) has the pleasure to allocate to **VEDUTA GLOBAL LIMITED** in our call, 12.000.000 bbls of Sarir/Messla blend crude oil loading **Mersa El Harige port On FOB** VEDUTA GLOBAL LIMITED (2018-C-002) Contract No (005-APR-2018), to be loaded between 1st of May 2018 to 30th of April 2019. as per contract No. **VEDUTA GLOBAL LIMITED (2018-C-002)(005-APR-2018)** And we will accommodate your nominated vessel accordingly.

Yours Sincerely,

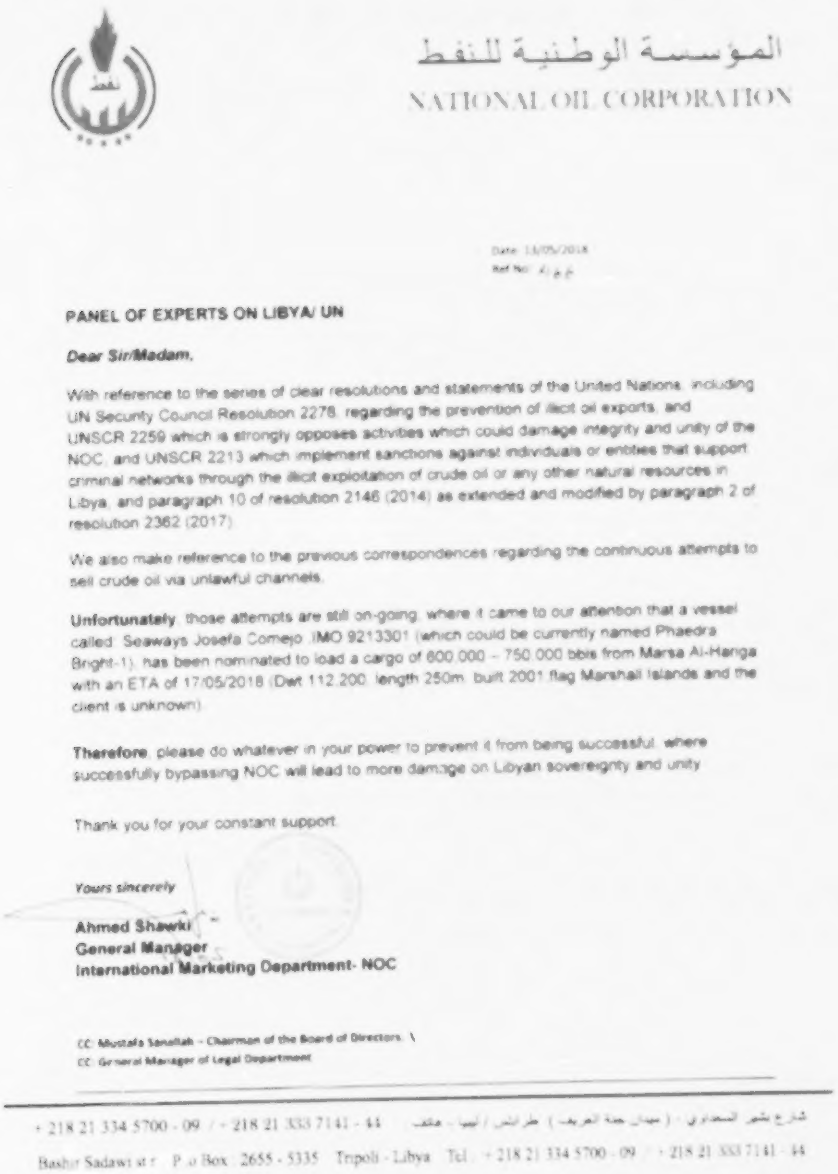
Emad Mohamed
International Marketing Coordinator
National Oil Corporation

cc:
- Member of the Board of Director for marketing
- Crude Dept
- Company file

Source: Confidential

Phaedra Bright-1 case

6. The following is a letter from the National Oil Corporation addressed to the Panel of Experts, on 13 May 2018, on an illicit attempt conducted by the Eastern National Oil Corporation.



المؤسسة الوطنية للنفط
NATIONAL OIL CORPORATION

Date: 13/05/2018
Ref No: [illegible]

PANEL OF EXPERTS ON LIBYA/ UN

Dear Sir/Madam,

With reference to the series of clear resolutions and statements of the United Nations, including UN Security Council Resolution 2278, regarding the prevention of illicit oil exports, and UNSCR 2259 which is strongly opposes activities which could damage integrity and unity of the NOC, and UNSCR 2213 which implement sanctions against individuals or entities that support criminal networks through the illicit exploitation of crude oil or any other natural resources in Libya, and paragraph 10 of resolution 2146 (2014) as extended and modified by paragraph 2 of resolution 2362 (2017).

We also make reference to the previous correspondences regarding the continuous attempts to sell crude oil via unlawful channels.

Unfortunately, those attempts are still on-going, where it came to our attention that a vessel called: Seaways Josefa Comejo, IMO 9213301 (which could be currently named Phaedra Bright-1), has been nominated to load a cargo of 600.000 – 750.000 bbls from Marsa Al-Hariga with an ETA of 17/05/2018 (Dwt 112.200, length 250m, built 2001 flag Marshall Islands and the client is unknown).

Therefore, please do whatever in your power to prevent it from being successful, where successfully bypassing NOC will lead to more damage on Libyan sovereignty and unity.

Thank you for your constant support.

Yours sincerely

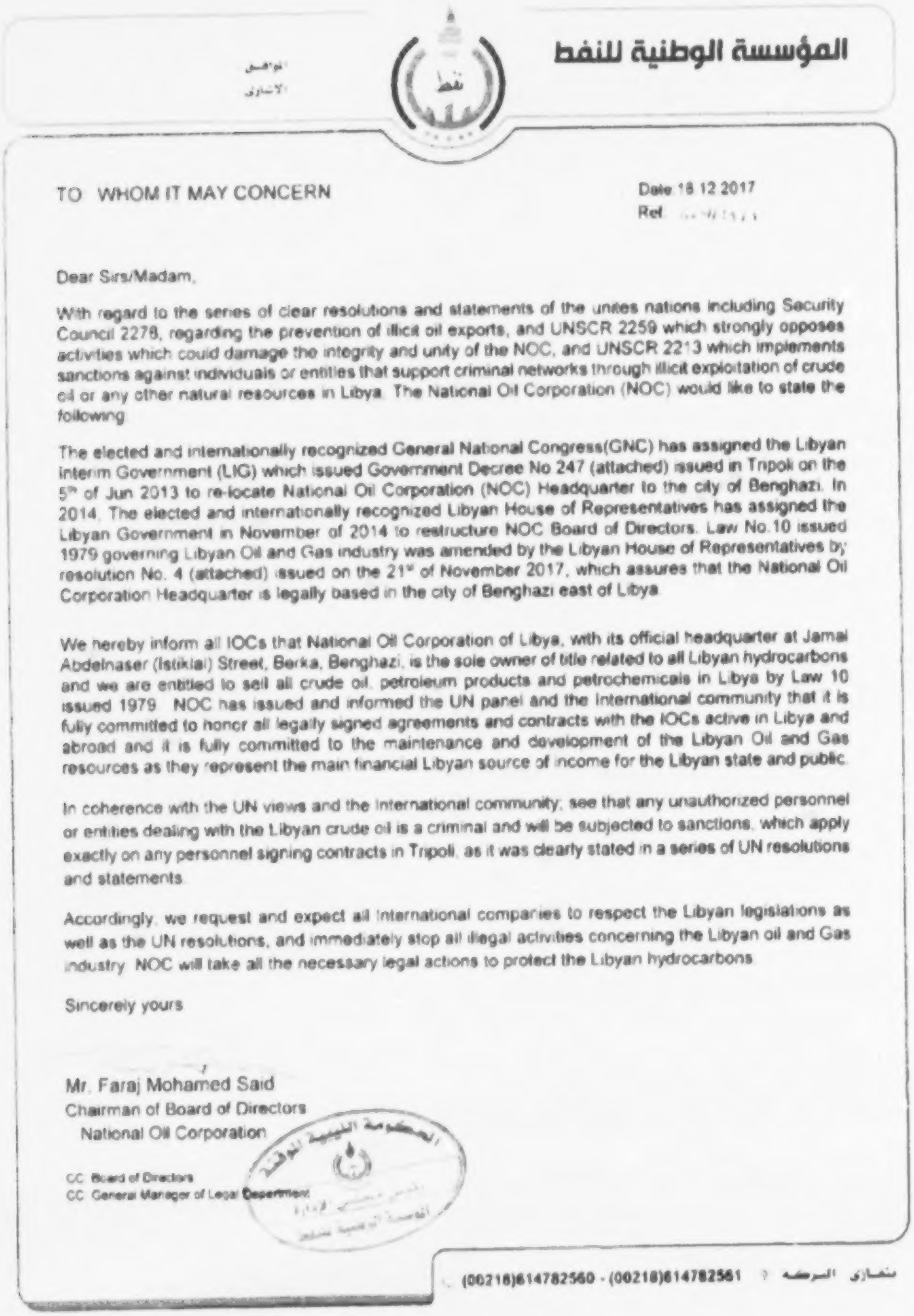
Ahmed Shawki
General Manager
International Marketing Department- NOC

CC: Mustafa Sanallah – Chairman of the Board of Directors. \
CC: General Manager of Legal Department

شارع بشير السعداوي - (ميدان جمعة العريف) طرابلس / ليبيا - هاتف +218 21 334 5700 - 09 / +218 21 333 7141 - 44
Bashir Sadawi st r . P.o Box : 2655 - 5335 Tripoli - Libya Tel : +218 21 334 5700 - 09 / +218 21 333 7141 - 44

Source: National Oil Corporation

Annex 38 Letter from the Eastern National Oil Corporation claiming to be the sole legitimate institution authorized to export crude oil



المؤسسة الوطنية للنفط

TO WHOM IT MAY CONCERN

Date 18 12 2017
Ref [illegible]

Dear Sirs/Madam,

With regard to the series of clear resolutions and statements of the unites nations including Security Council 2278, regarding the prevention of illicit oil exports, and UNSCR 2259 which strongly opposes activities which could damage the integrity and unity of the NOC, and UNSCR 2213 which implements sanctions against individuals or entities that support criminal networks through illicit exploitation of crude oil or any other natural resources in Libya. The National Oil Corporation (NOC) would like to state the following

The elected and internationally recognized General National Congress(GNC) has assigned the Libyan Interim Government (LIG) which issued Government Decree No 247 (attached) issued in Tripoli on the 5th of Jun 2013 to re-locate National Oil Corporation (NOC) Headquarter to the city of Benghazi. In 2014. The elected and internationally recognized Libyan House of Representatives has assigned the Libyan Government in November of 2014 to restructure NOC Board of Directors. Law No.10 issued 1979 governing Libyan Oil and Gas industry was amended by the Libyan House of Representatives by resolution No. 4 (attached) issued on the 21st of November 2017, which assures that the National Oil Corporation Headquarter is legally based in the city of Benghazi east of Libya

We hereby inform all IOCs that National Oil Corporation of Libya, with its official headquarter at Jamal Abdelnaser (Istiklal) Street, Berka, Benghazi, is the sole owner of title related to all Libyan hydrocarbons and we are entitled to sell all crude oil, petroleum products and petrochemicals in Libya by Law 10 issued 1979. NOC has issued and informed the UN panel and the International community that it is fully committed to honor all legally signed agreements and contracts with the IOCs active in Libya and abroad and it is fully committed to the maintenance and development of the Libyan Oil and Gas resources as they represent the main financial Libyan source of income for the Libyan state and public.

In coherence with the UN views and the International community; see that any unauthorized personnel or entities dealing with the Libyan crude oil is a criminal and will be subjected to sanctions, which apply exactly on any personnel signing contracts in Tripoli, as it was clearly stated in a series of UN resolutions and statements.

Accordingly, we request and expect all International companies to respect the Libyan legislations as well as the UN resolutions, and immediately stop all illegal activities concerning the Libyan oil and Gas industry. NOC will take all the necessary legal actions to protect the Libyan hydrocarbons

Sincerely yours

Mr. Faraj Mohamed Said
Chairman of Board of Directors
National Oil Corporation

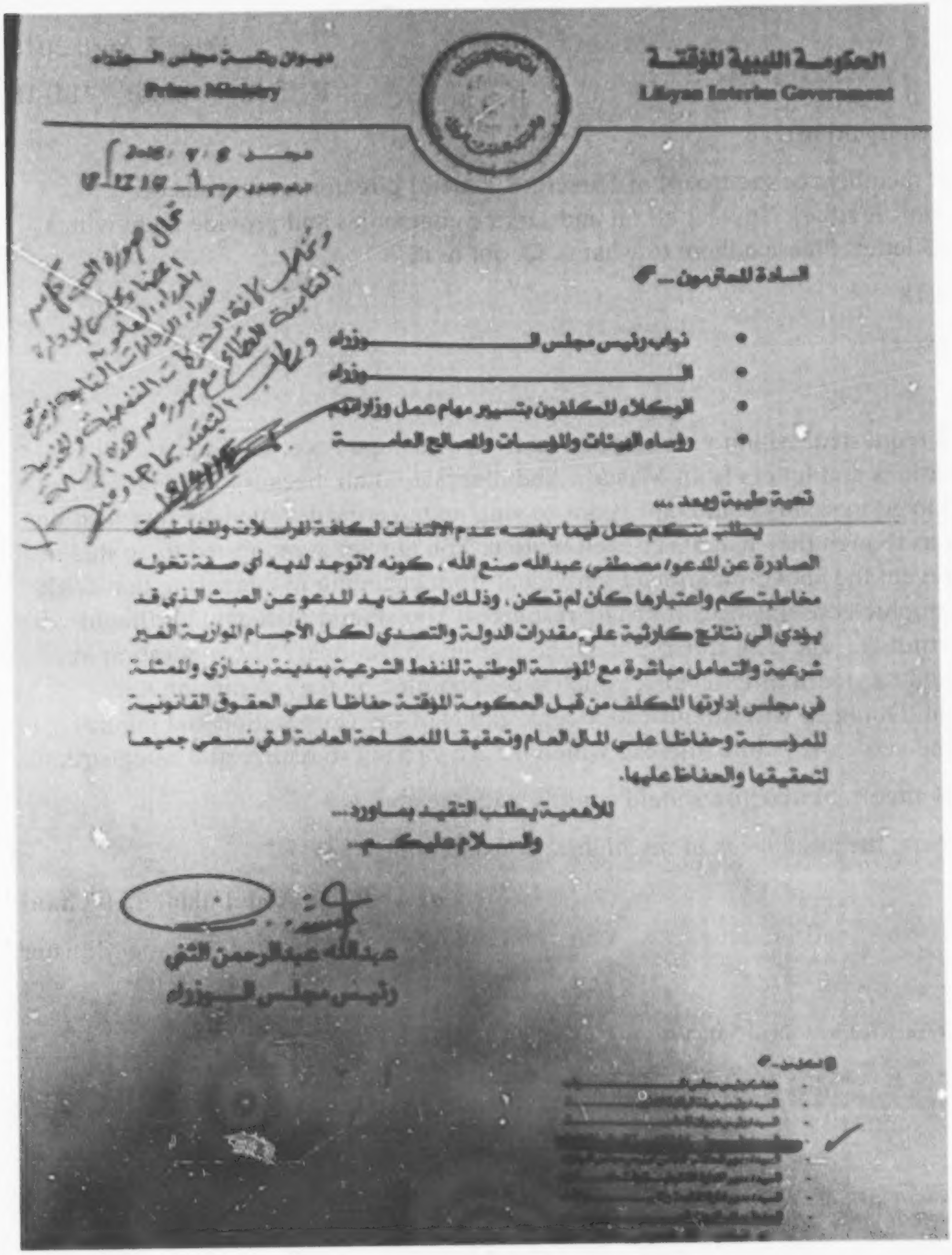
CC Board of Directors
CC General Manager of Legal Department

بنغازي البركة ؟ (00218)614782561 - (00218)614782560

Source: Eastern National Oil Corporation

Annex 39 Letter from the Interim Government on Mustafa Sanalla

1. The following is a letter signed by the Chairman of the Eastern National Oil Corporation, dated 8 April 2018, requesting to disregard all communications from Mustafa Sanalla.



الحكومة الليبية المؤقتة
Libyan Interim Government

ديوان رئاسة مجلس الوزراء
Prime Ministry

التاريخ: 2018 / 4 / 8
الرقم الإشاري: 1210

[illegible]

السادة المحترمون —

- نواب رئيس مجلس الوزراء
- الوزراء
- الوكلاء المكلفون بتسيير مهام عمل وزاراتهم
- رؤساء الهيئات والمؤسسات والمصالح العامة

تحية طيبة وبعد ...

يطلب منكم كل فيما يخصه عدم الالتفات لكافة المراسلات والمخاطبات الصادرة عن المدعو/ مصطفى عبدالله صنع الله ، كونه لاتوجد لديه أي صفة تخوله مخاطبتكم واعتبارها كأن لم تكن ، وذلك لكف يد المدعو عن العبث الذي قد يؤدي الي نتائج كارثية على مقدرات الدولة والتصدي لكل الأجسام الموازية الغير شرعية والتعامل مباشرة مع المؤسسة الوطنية للنفط الشرعية بمدينة بنغازي والممثلة في مجلس إدارتها المكلف من قبل الحكومة المؤقتة حفاظا علي الحقوق القانونية للمؤسسة وحفاظا علي المال العام وتحقيقا للمصلحة العامة التي نسعى جميعا لتحقيقها والحفاظ عليها.

للأهمية يطلب التقيد بماورد...
والسلام عليكم.

عبدالله عبدالرحمن الثني
رئيس مجلس الوزراء

[illegible]
[redacted]
[illegible]

Source: Confidential

2. The following is an official translation of the document indicated in para 1.

Libyan Interim Government

Secretariat of the Office of the Prime Minister

Date: 8 April 2018

Ref.: *ra'mim alif*–1714–18

[Handwritten notation]

Copy to all members of the Board of Directors, general directors and heads of departments [illegible]. Contact all oil and service companies and provide them with a copy of this letter. Please adhere to what is set out in it.

18 April 2018

[Body of letter]

Sirs,

You are all requested, within your respective areas of competence, to disregard all communications and letters from Mustafa Abdullah San'allah, because he is not authorized to address any communications to you, and to consider such communications and letters as though they had never been written. You are being requested to do this in order to prevent the above-mentioned individual from engaging in tampering that could have catastrophic consequences for State resources. You should disregard all illegal parallel institutions and deal directly with the legitimate National Oil Corporation in Benghazi and its Board of Directors, which was appointed by the Libyan Interim Government. Doing so will safeguard the legal rights of the Corporation and public property, and serve the public interest, which we are striving to realize and safeguard.

It is very important that you should comply with the above.

Accept, Sirs, the assurances of my highest consideration.

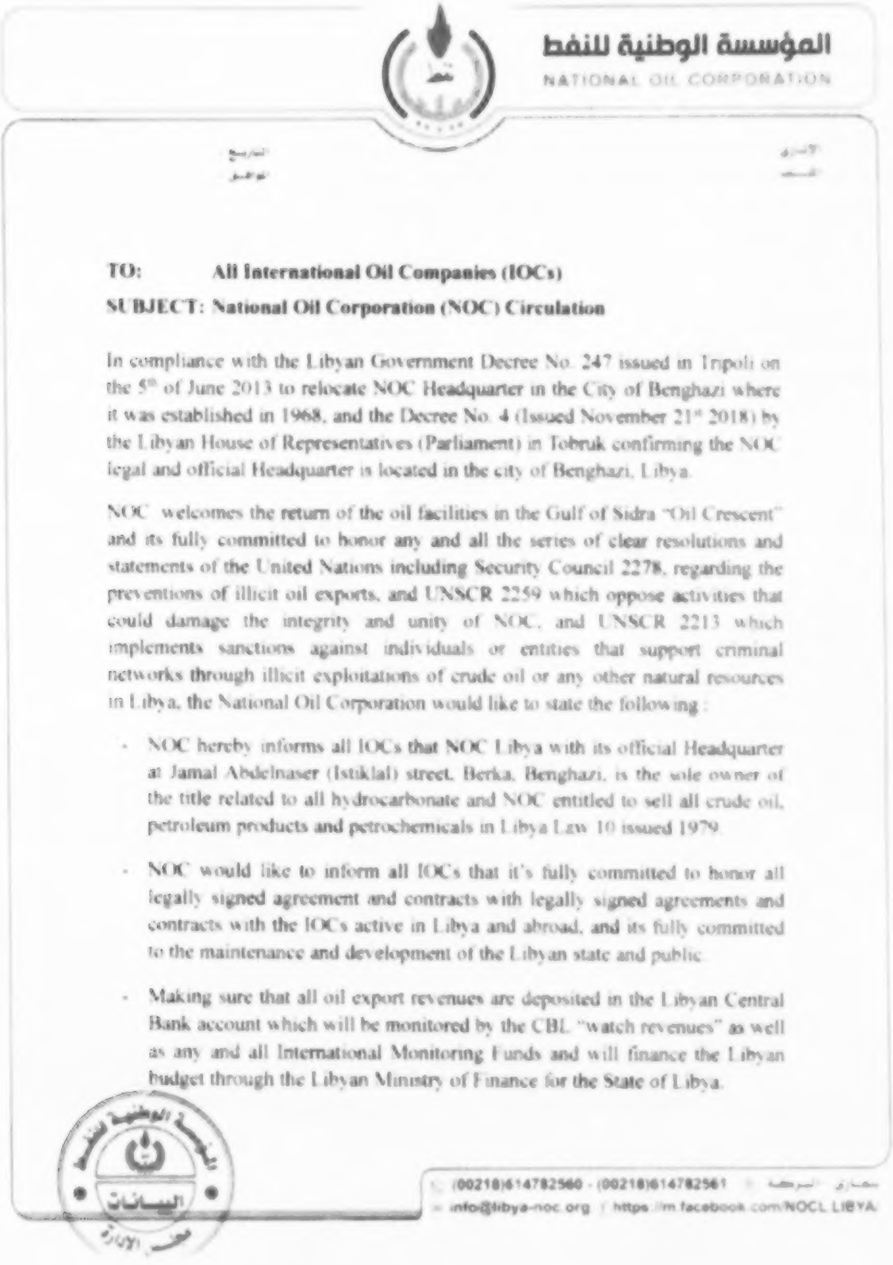
(*Signed*) Abdullah Abdulrahman **al-Thani**

Prime Minister

Source: Confidential (translated by United Nations)

Annex 40 Letter from the Eastern National Oil Corporation to international oil companies.

1. The following is a letter from the Eastern National Oil Corporation addressed to international oil companies.



المؤسسة الوطنية للنفط
NATIONAL OIL CORPORATION

TO: **All International Oil Companies (IOCs)**

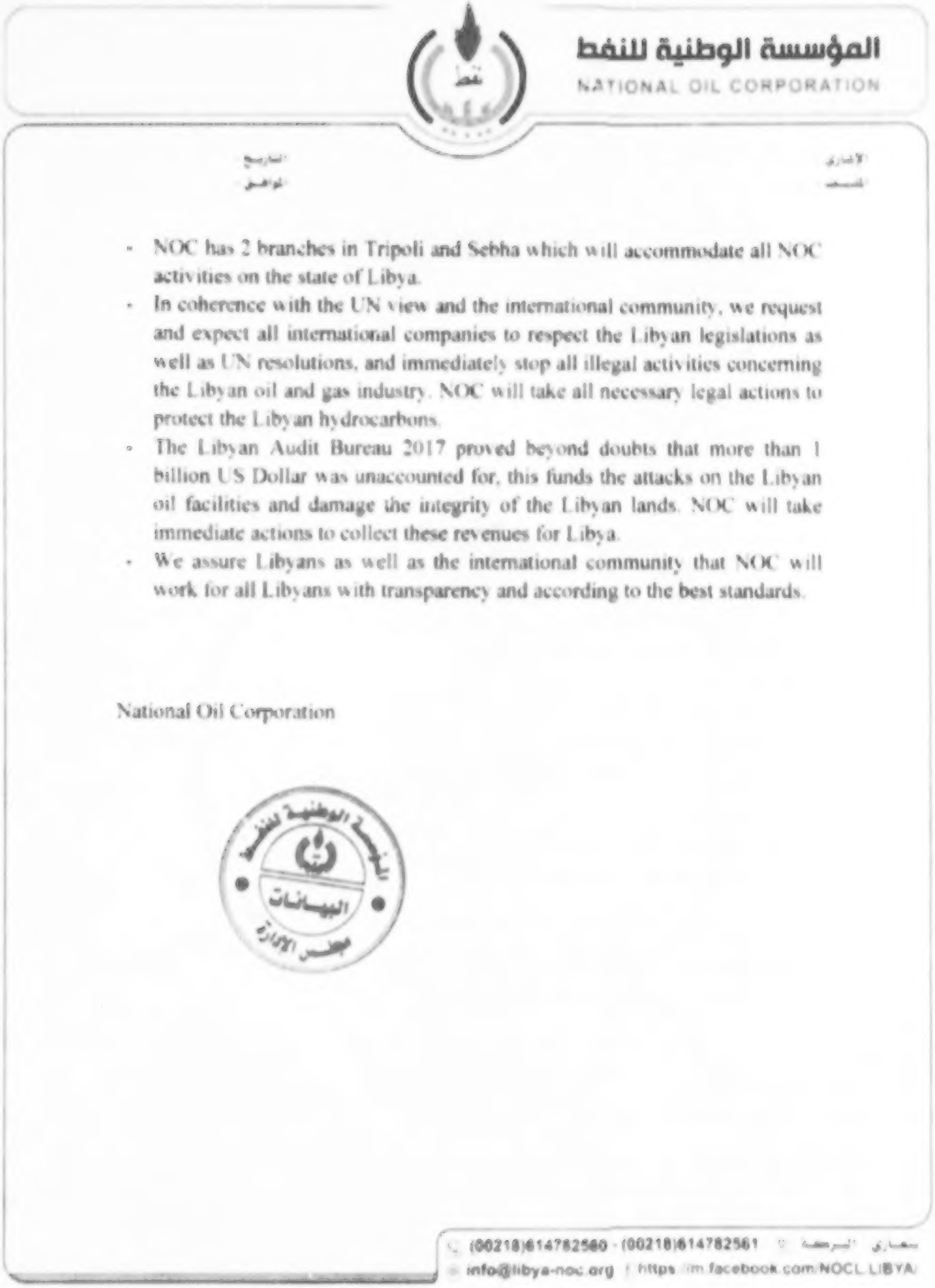
SUBJECT: National Oil Corporation (NOC) Circulation

In compliance with the Libyan Government Decree No. 247 issued in Tripoli on the 5th of June 2013 to relocate NOC Headquarter in the City of Benghazi where it was established in 1968, and the Decree No. 4 (Issued November 21st 2018) by the Libyan House of Representatives (Parliament) in Tobruk confirming the NOC legal and official Headquarter is located in the city of Benghazi, Libya.

NOC welcomes the return of the oil facilities in the Gulf of Sidra "Oil Crescent" and its fully committed to honor any and all the series of clear resolutions and statements of the United Nations including Security Council 2278, regarding the preventions of illicit oil exports, and UNSCR 2259 which oppose activities that could damage the integrity and unity of NOC, and UNSCR 2213 which implements sanctions against individuals or entities that support criminal networks through illicit exploitations of crude oil or any other natural resources in Libya, the National Oil Corporation would like to state the following :

- NOC hereby informs all IOCs that NOC Libya with its official Headquarter at Jamal Abdelnaser (Istiklal) street, Berka, Benghazi, is the sole owner of the title related to all hydrocarbonate and NOC entitled to sell all crude oil, petroleum products and petrochemicals in Libya Law 10 issued 1979.
- NOC would like to inform all IOCs that it's fully committed to honor all legally signed agreement and contracts with legally signed agreements and contracts with the IOCs active in Libya and abroad, and its fully committed to the maintenance and development of the Libyan state and public.
- Making sure that all oil export revenues are deposited in the Libyan Central Bank account which will be monitored by the CBL "watch revenues" as well as any and all International Monitoring Funds and will finance the Libyan budget through the Libyan Ministry of Finance for the State of Libya.

(00218)614782560 - (00218)614782561
info@libya-noc.org | https://m.facebook.com/NOCL.LIBYA



المؤسسة الوطنية للنفط
NATIONAL OIL CORPORATION

التاريخ:
الموافق:

الإشاري:
المسجل:

- NOC has 2 branches in Tripoli and Sebha which will accommodate all NOC activities on the state of Libya.
- In coherence with the UN view and the international community, we request and expect all international companies to respect the Libyan legislations as well as UN resolutions, and immediately stop all illegal activities concerning the Libyan oil and gas industry. NOC will take all necessary legal actions to protect the Libyan hydrocarbons.
- The Libyan Audit Bureau 2017 proved beyond doubts that more than 1 billion US Dollar was unaccounted for, this funds the attacks on the Libyan oil facilities and damage the integrity of the Libyan lands. NOC will take immediate actions to collect these revenues for Libya.
- We assure Libyans as well as the international community that NOC will work for all Libyans with transparency and according to the best standards.

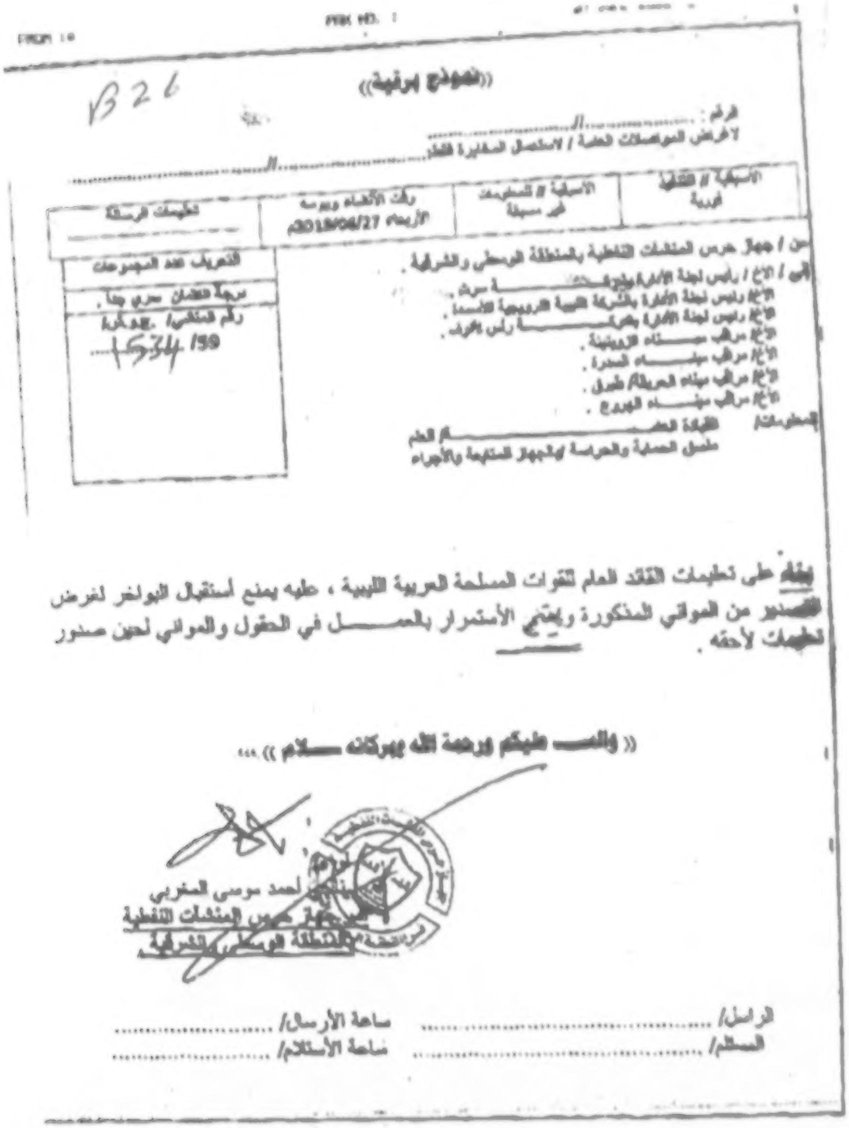
National Oil Corporation

(00218)614782560 - (00218)614782561 البركة بنغازي
info@libya-noc.org | https://m.facebook.com/NOCL.LIBYA/

Source: Confidential

Annex 41 Orders by the head of the Petroleum Facilities Guard, East and Central region.

1. The following is an order, dated 26 June 2018, by Naji al Maghrebi, head of Petroleum Facilities Guard, East and Central region, to companies in charge of oil terminals to prevent tankers from loading crude oil until further instruction by the General Command of the LNA.



FROM : FAX NO. :

B26

«نموذج برقية»

الرقم: ..../..........
لأغراض المواصلات العامة / لاستعمال السفارة فقط........./..........

الأسبقية // الفائقة فورية	الأسبقية // للمعلومات غير مستعجلة	وقت الإنشاء ويومه الأربعاء 2018/06/27م	تعليمات الرسالة

التعريف عدد المجموعات
درجة الكتمان سري جدا .
رقم الملف/ [illegible]
1534/59

من / جهاز حرس المنشآت النفطية بالمنطقة الوسطى والشرقية .
إلى / الأخ / رئيس لجنة الإدارة بشركـــــــــة سرت .
الأخ رئيس لجنة الإدارة بالشركة الليبية النرويجية للأسمدة .
الأخ رئيس لجنة الإدارة بشركـــــــــة رأس لانوف .
الأخ مراقب مستودع الزويتينة .
الأخ مراقب ميناء السدرة .
الأخ مراقب ميناء الحريقة / طبرق .
الأخ مراقب ميناء الهروج .
المعلومات/ القيادة العامـــــــــــة [illegible] العام
مكتب السلامة والحراسة بالجهاز للمتابعة والإجراء

بناءً على تعليمات القائد العام للقوات المسلحة العربية الليبية ، عليه يمنع استقبال البواخر لغرض التصدير من الموانئ المذكورة ويتم الأستمرار بالعمـــــل في الحقول والموانئ لحين صدور تعليمات لاحقه .

« والســـلام عليكم ورحمة الله وبركاته »...

ناجي أحمد موسى المغربي
رئيس جهاز حرس المنشآت النفطية
بالمنطقة الوسطى والشرقية

الراسل/ .... ساعة الأرسال/ ....
المستلم/ .... ساعة الأستلام/ ....

Source: Confidential

2. The following is an official translation of the document indicated in para. 1.

From the Petroleum Facilities Guard in the central and eastern region to:

Chairman of the Management Committee of Sirte Oil Co.

Chairman of the Management Committee of the Libyan Marketing (promotion) for Fertilizer Company

Chairman of the Management Committee of Ras Lanuf Company

Supervisor of Zueitina port

Supervisor of Hariga/Tobruk port

Supervisor of Harouge port

Instructions were issued by the General Command and conveyed by the security Coordinator – PFG

Upon the orders of the General Commander of the Arab Libyan Armed Forces (the LNA), it is prohibited to receive vessels intending to export from the above-mentioned ports as well as work in ports and fields is prohibited until further notice.

Sincerely,

Naji Ahmad Moussa el-Maghribi

Commander of the Petroleum Facilities Guard

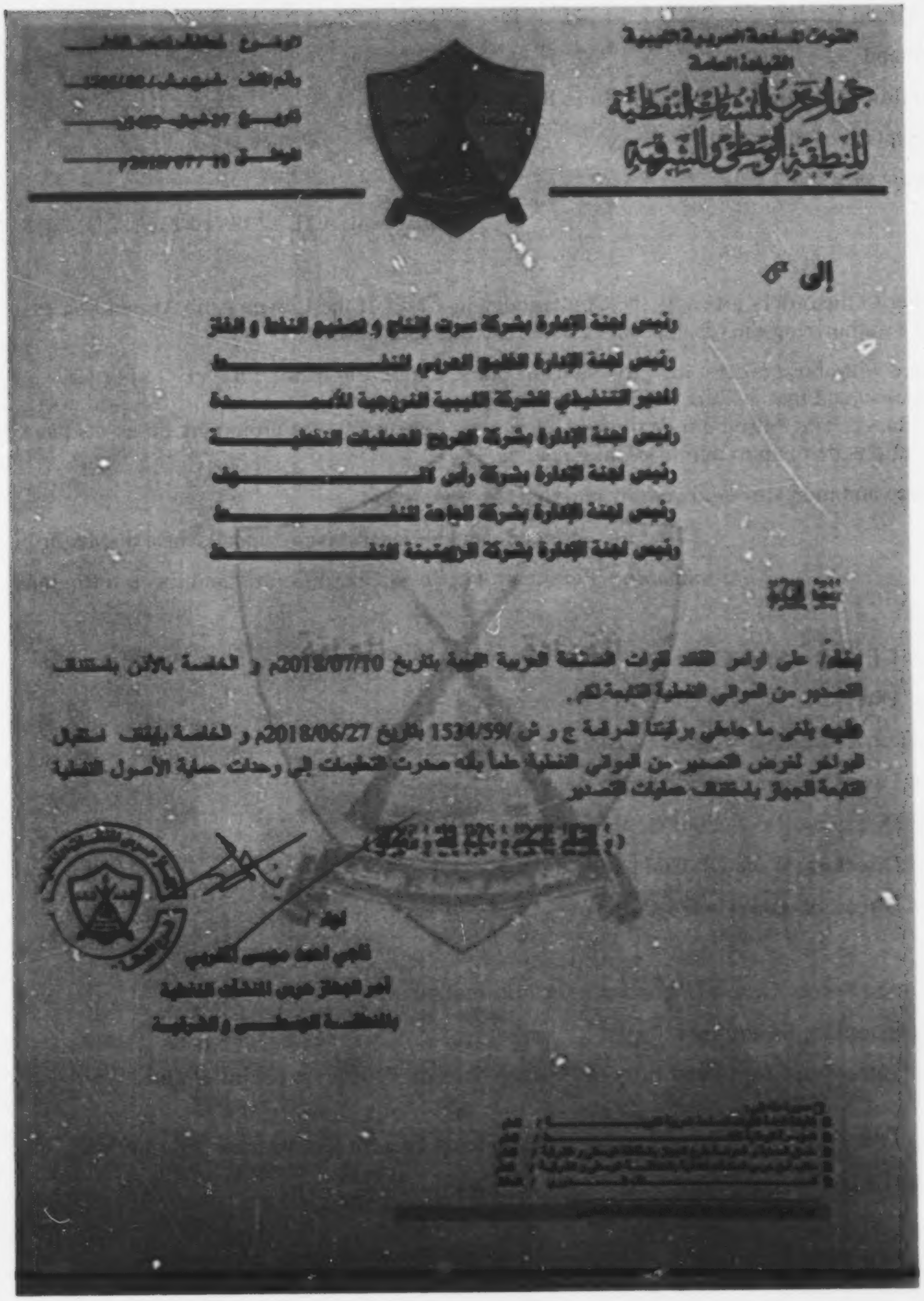
Central and Eastern region/branch

Transmitter: Time of transmission

Consignee: Time of reception

Source: Confidential (Translated by United Nations)

3. The following is an order, dated 10 July 2018, also from Naji al Maghrebi, head of Petroleum Facilities Guard, to rescind the previously-given instructions.



القوات المسلحة العربية الليبية
القيادة العامة
جهاز حرس المنشآت النفطية
للمنطقة الوسطى والشرقية

الموضوع [illegible]
رقم الملف [illegible]
التاريخ 27 شوال 1439
الموافق 2018/07/11

إلى /

رئيس لجنة الإدارة بشركة سرت لإنتاج و تصنيع النفط و الغاز
رئيس لجنة الإدارة الخليج العربي للنفط
المدير التنفيذي للشركة الليبية النرويجية للأسمدة
رئيس لجنة الإدارة بشركة الهروج للعمليات النفطية
رئيس لجنة الإدارة بشركة رأس لانوف
رئيس لجنة الإدارة بشركة الواحة للنفط
رئيس لجنة الإدارة بشركة الزويتينة للنفط

تحية طيبة

بناءً على أوامر القائد العام للقوات المسلحة العربية الليبية بتاريخ 2018/07/10م و الخاصة بالإذن باستئناف التصدير من الموانئ النفطية التابعة لكم.

عليه يلغى ما جاء في برقيتنا المرقمة ج و ش/1534/59 بتاريخ 2018/06/27م و الخاصة بإيقاف استقبال البواخر لغرض التصدير من الموانئ النفطية علماً بأنه صدرت التعليمات إلى وحدات حماية الأصول النفطية التابعة للجهاز باستئناف عمليات التصدير

والسلام عليكم ورحمة الله وبركاته

لواء /
ناجي أحمد موسى المغربي
آمر الجهاز حرس المنشآت النفطية
بالمنطقة الوسطى و الشرقية

Source: Confidential

4. The following is an official translation of the document indicated in para 3.

Libyan Arab Armed Forces
General Command
Petroleum Facilities Guard, Central and Eastern Regions

Subject: Resumption of oil exports

Ref.: *fa'jim waw shin* / 08 / 1705

27 Shawwal, A.H. 1439 (10 July, A.D. 2018)

Sirs,

I write further to the orders given by the Commander-in-Chief of the Libyan Arab Armed Forces on 10 July 2018 authorizing the resumption of exports from your ports.

In accordance with those orders, the provisions of our telegram *jim waw shin* / 59 / 1534 of 27 June 2018, which stated that vessels would no longer be granted permission to export from oil ports, are hereby rescinded. The Petroleum Facilities Guard units responsible for protecting oil assets have received instructions that export activities may resume.

May the peace and mercy of God and his blessings be upon you.

(Signed) Major General Naji Ahmad Musa al-Maghribi
Commander, Petroleum Facilities Guard/Central and Eastern Regions

Chair, Board of Directors, Sirte Company for the Production and Manufacturing of Oil and Gas

Chair, Board of Directors, Arabian Gulf Oil Company

Executive Director, Libyan Norwegian Fertilizer Company

Chair, Board of Directors, Harouge Oil Operations

Chair, Board of Directors, Ras Lanouf Company

Chair, Board of Directors, Waha Oil Company

Chair, Board of Directors, Zueitina Oil Company

Copied:

Libyan Arab Armed Forces General Command, for information

National Oil Corporation, for information

Coordinator of Protection, Central and Eastern Regions Branch, Petroleum Facilities Guard, for information

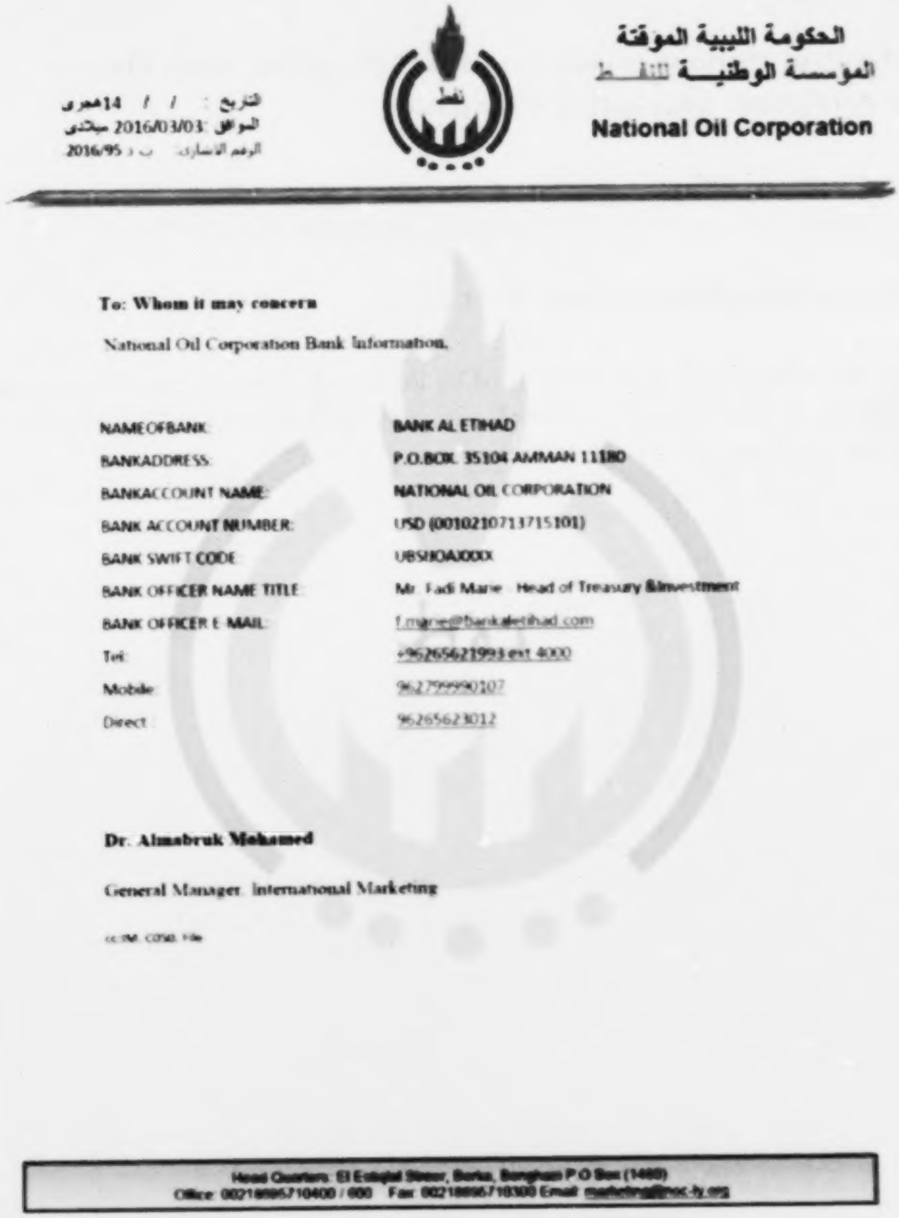
Security desks of the Petroleum Facilities Guard, Central and Eastern Regions, for information

Records, for archiving.

Source: Confidential (Translated by United Nations)

Annex 42 Eastern National Oil Corporation bank accounts

1. The following is the bank account details provided by the Eastern National Oil Corporation to receive the revenues of oil exports.



الحكومة الليبية الموقتة
المؤسسة الوطنية للنفط
National Oil Corporation

التاريخ : / / 14هجرى
الموافق :2016/03/03 ميلادى
الرقم الاشاري: ب د 2016/95

To: Whom it may concern

National Oil Corporation Bank Information.

NAMEOFBANK:	BANK AL ETIHAD
BANKADDRESS:	P.O.BOX. 35104 AMMAN 11180
BANKACCOUNT NAME:	NATIONAL OIL CORPORATION
BANK ACCOUNT NUMBER:	USD (0010210713715101)
BANK SWIFT CODE:	UBSIJOAXXXX
BANK OFFICER NAME TITLE:	Mr. Fadi Marie - Head of Treasury &Investment
BANK OFFICER E-MAIL:	f.marie@bankaletihad.com
Tel:	+96265621993 ext 4000
Mobile:	962799990107
Direct :	96265623012

Dr. Almabruk Mohamed

General Manager, International Marketing

cc:PM, COSO, File

Head Quarters: El Esteqlal Street, Berka, Benghazi P.O Box (1480)
Office: [illegible] / 600 Fax: [illegible] Email: marketing@noc-ly.org

Source: Confidential

Annex 43 List of fuel smugglers issued by the Libyan Attorney General Office

1. The Panel holds a copy and official translation of the list of fuel smugglers issued by the Attorney General Office in December 2017.

Annex 44 List of petrol stations involved in fuel smuggling according to Brega Petroleum Marketing Company

1. The Panel holds a copy and official translation of the list of petrol stations involved in fuel smuggling according to Brega Petroleum Marketing Company, obtained in May 2018.

Annex 45 List of petrol stations opened after 2011

1. The Panel holds a list of the petrol stations, licensed by the four distributor companies, created after 2011. It is not officially translated. The four distrubituors are: Oil Libya, Al Rahila, Sharara Oil Services, and Highway Service Company.

Annex 46 New standards to be met by petrol stations in Libya

1. The following is a document defining the criteria for a petrol station to be opened in Libya, dated 1 November 2017.

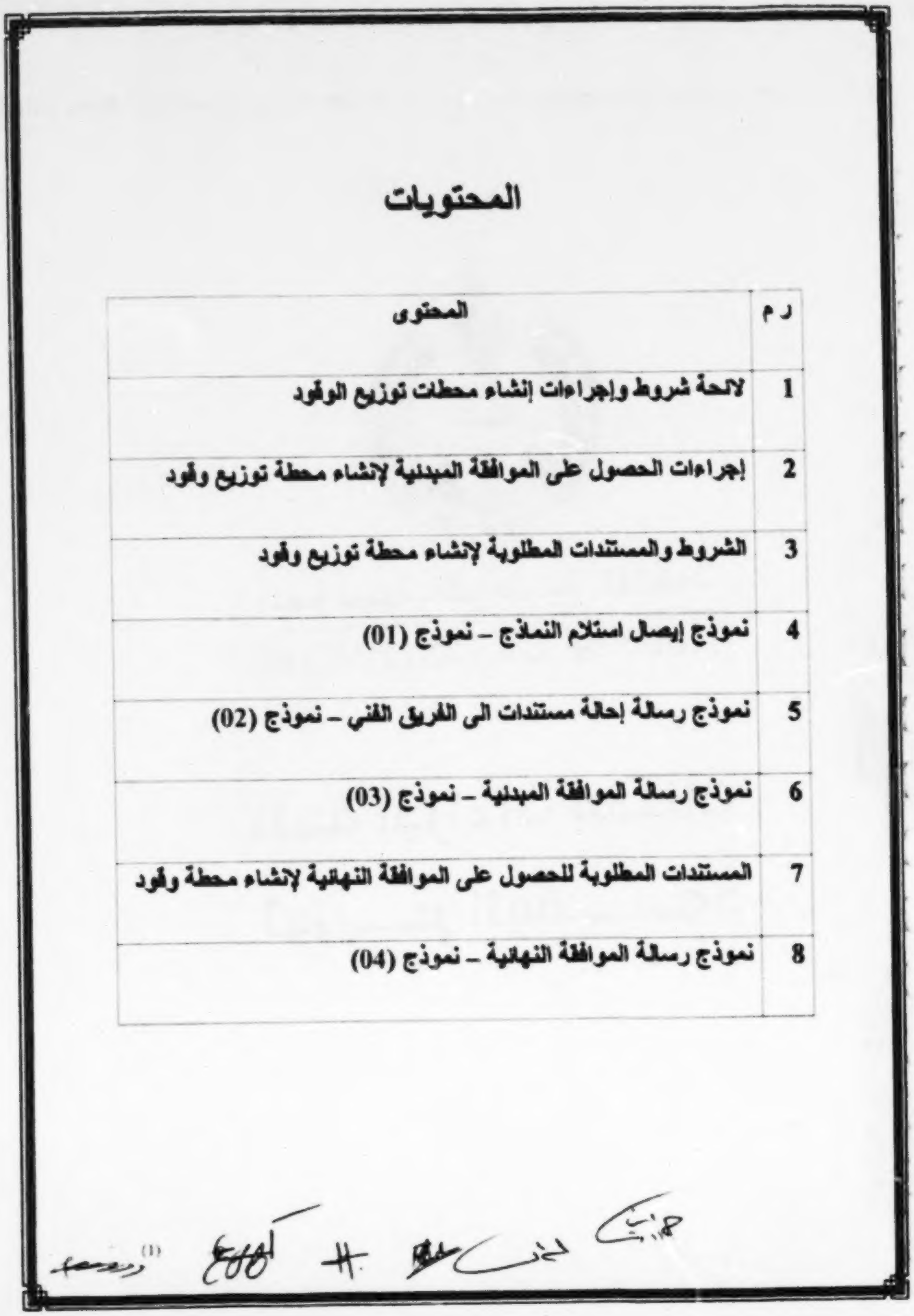
المؤسسة الوطنية للنفط

National Oil Corporation

لائحة إجراءات محطات

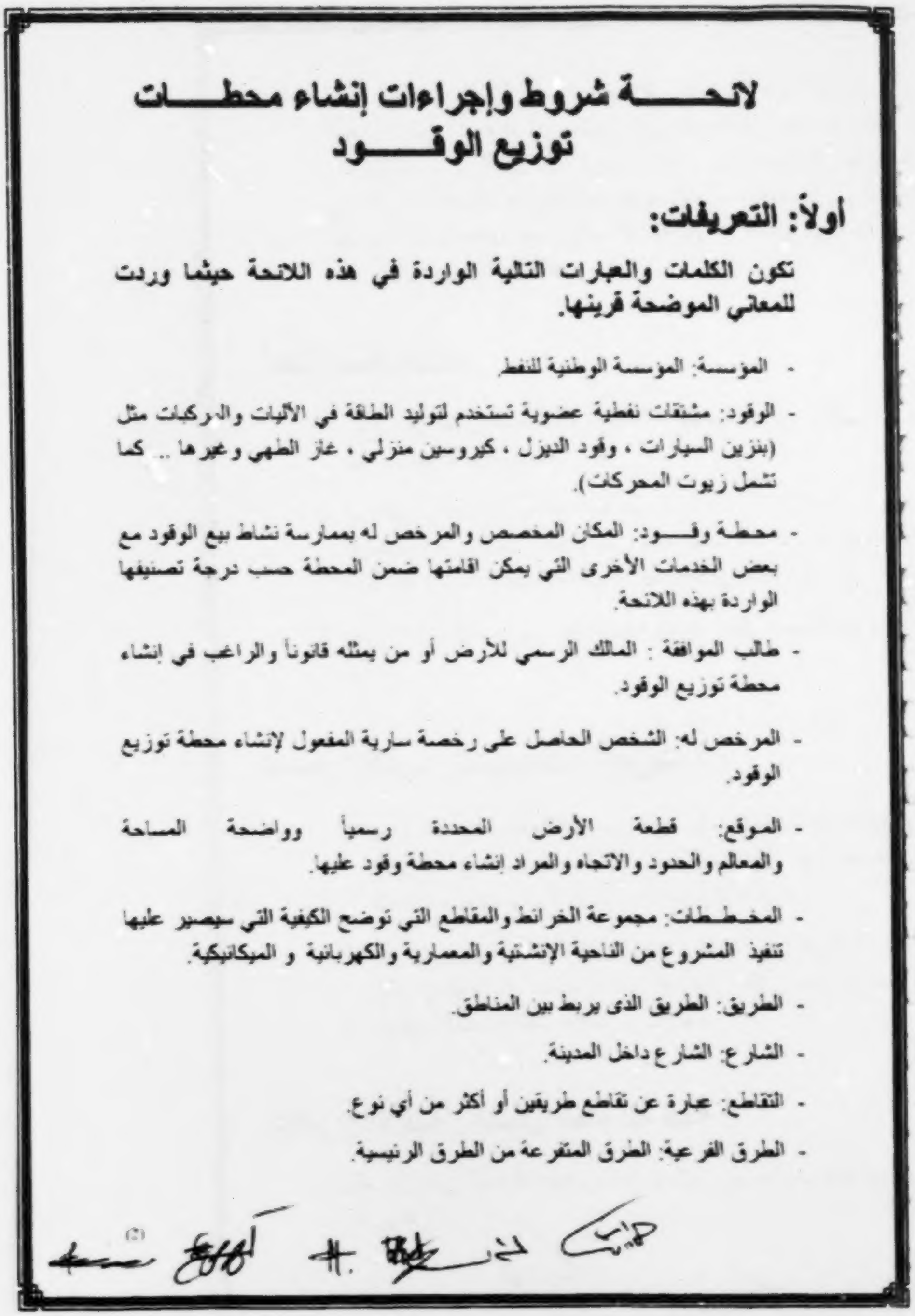
توزيـــع الوقـــــود

Revision (00) Date 01/ 11 / 2017



المحتويات

ر م	المحتوى
1	لائحة شروط وإجراءات إنشاء محطات توزيع الوقود
2	إجراءات الحصول على الموافقة المبدئية لإنشاء محطة توزيع وقود
3	الشروط والمستندات المطلوبة لإنشاء محطة توزيع وقود
4	نموذج إيصال استلام النماذج – نموذج (01)
5	نموذج رسالة إحالة مستندات الى الفريق الفني – نموذج (02)
6	نموذج رسالة الموافقة المبدئية – نموذج (03)
7	المستندات المطلوبة للحصول على الموافقة النهائية لإنشاء محطة وقود
8	نموذج رسالة الموافقة النهائية – نموذج (04)

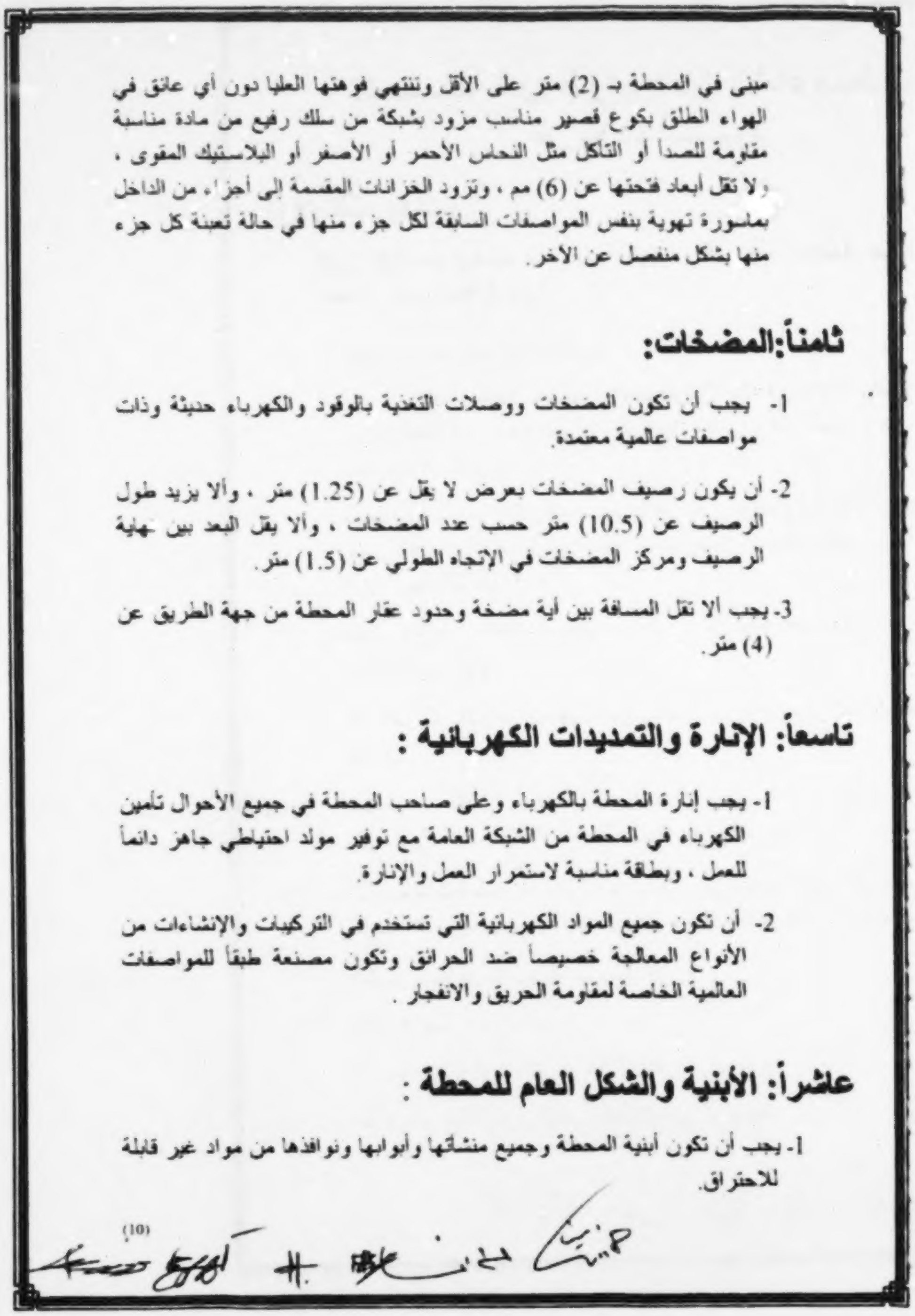


لائحـــة شروط وإجراءات إنشاء محطـــات توزيع الوقـــود

أولاً: التعريفات:

تكون الكلمات والعبارات التالية الواردة في هذه اللائحة حيثما وردت للمعاني الموضحة قرينها.

- المؤسسة: المؤسسة الوطنية للنفط.
- الوقود: مشتقات نفطية عضوية تستخدم لتوليد الطاقة في الآليات والمركبات مثل (بنزين السيارات ، وقود الديزل ، كيروسين منزلي ، غاز الطهي وغيرها .. كما تشمل زيوت المحركات).
- محطة وقـــود: المكان المخصص والمرخص له بممارسة نشاط بيع الوقود مع بعض الخدمات الأخرى التي يمكن اقامتها ضمن المحطة حسب درجة تصنيفها الواردة بهذه اللائحة.
- طالب الموافقة : المالك الرسمي للأرض أو من يمثله قانوناً والراغب في إنشاء محطة توزيع الوقود.
- المرخص له: الشخص الحاصل على رخصة سارية المفعول لإنشاء محطة توزيع الوقود.
- الموقع: قطعة الأرض المحددة رسمياً وواضحة المساحة والمعالم والحدود والاتجاه والمراد إنشاء محطة وقود عليها.
- المخـطـطات: مجموعة الخرائط والمقاطع التي توضح الكيفية التي سيصير عليها تنفيذ المشروع من الناحية الإنشائية والمعمارية والكهربائية و الميكانيكية.
- الطريق: الطريق الذى يربط بين المناطق.
- الشارع: الشارع داخل المدينة.
- التقاطع: عبارة عن تقاطع طريقين أو أكثر من أي نوع.
- الطرق الفرعية: الطرق المتفرعة من الطرق الرئيسية.



مبنى في المحطة بـ (2) متر على الأقل وتنتهي فوهتها العليا دون أي عائق في الهواء الطلق بكوع قصير مناسب مزود بشبكة من سلك رفيع من مادة مناسبة مقاومة للصدأ أو التآكل مثل النحاس الأحمر أو الأصفر أو البلاستيك المقوى ، ولا تقل أبعاد فتحتها عن (6) مم ، وتزود الخزانات المقسمة إلى أجزاء من الداخل بماسورة تهوية بنفس المواصفات السابقة لكل جزء منها في حالة تعبئة كل جزء منها بشكل منفصل عن الآخر.

ثامناً:المضخات:

1- يجب أن تكون المضخات ووصلات التغذية بالوقود والكهرباء حديثة وذات مواصفات عالمية معتمدة.

2- أن يكون رصيف المضخات بعرض لا يقل عن (1.25) متر ، وألا يزيد طول الرصيف عن (10.5) متر حسب عدد المضخات ، وألا يقل البعد بين نهاية الرصيف ومركز المضخات في الإتجاه الطولي عن (1.5) متر.

3- يجب ألا تقل المسافة بين أية مضخة وحدود عقار المحطة من جهة الطريق عن (4) متر.

تاسعاً: الإنارة والتمديدات الكهربائية :

1- يجب إنارة المحطة بالكهرباء وعلى صاحب المحطة في جميع الأحوال تأمين الكهرباء في المحطة من الشبكة العامة مع توفير مولد احتياطي جاهز دائماً للعمل ، وبطاقة مناسبة لاستمرار العمل والإنارة.

2- أن تكون جميع المواد الكهربائية التي تستخدم في التركيبات والإنشاءات من الأنواع المعالجة خصيصاً ضد الحرائق وتكون مصنعة طبقاً للمواصفات العالمية الخاصة لمقاومة الحريق والانفجار .

عاشراً: الأبنية والشكل العام للمحطة :

1- يجب أن تكون أبنية المحطة وجميع منشآتها وأبوابها ونوافذها من مواد غير قابلة للاحتراق.

2- يجب إحاطة المحطة بسور من مواد غير قابلة للاحتراق بارتفاع لا يقل عن (2) متر ، أما من الجهة المجاورة للطريق العام فيجب تحديد مداخل المحطة ومخارجها ويمكن أن يتم ذلك بوساطة أرصفة أو حواجز ثابتة بدلاً من السور.

3- تعبيد الممرات الخاصة بالسيارات وعمل أرصفة وإضاءة لها .

4- يتم تكسية الحوائط في منطقة خدمات السيارات ودورات المياه والمطابخ بالسيراميك ناعم الملمس وسهل التنظيف ، ويمكن استخدام دهان بلاستيك ثلاثة أوجه مع الأساس في أماكن الاستراحة والمطعم والمكاتب .

5- مراعاة شفافية الواجهات للأنشطة الموجودة بالمحطة عدا مبنى استراحة العاملين.

6- وضع لوحة منفصلة باسم وشعار المحطة تكون مضاءة وبحجم وارتفاع مناسبين.

7- توضع لوحات إرشادية واضحة في مكان بارز للدلالة على الأماكن والخدمات المختلفة في الموقع مثل المسجد ، المطعم ، الاستراحة ، دورات المياه ، وذلك بأبعاد ورموز مناسبة.

8 - تنسيق الموقع العام بشكل جميل بحيث يشتمل على مناطق خضراء وأحواض زهور مع تهيئة أماكن استراحة خارجية لمرتادي المحطة.

9 - مراعاة عدم التداخل في الحركة داخل المحطة بين مواقع الخزانات وخط تزويد الوقود وخط الغسيل والتشحيم والخدمات المتوفرة بالمحطة.

10 - لا يسمح باستخدام الاسفلت في الأرضيات عدا ممرات السيارات ، أما أرضيات الخدمات الملحقة بالمحطة (المطعم ، الاستراحة ، النشاطات التجارية) فتكون من الرخام اوالسيراميك اوما شابههما.

11 - يتم تخطيط أرضية المحطة بالعلامات المرورية الأرضية التي تشير إلى الدخول والخروج وبيان مسار الحركة بالمحطة والمواقف وتجديدها دورياً.

12 - ألا يقل الحد الأدنى لارتداد مباني المحطة عن حدود الجار عن (3) ثلاثة متر .

أحكام عامة:

يمنع منعا باتاً استخدام المحطة لغير الغرض المرخص بها وبما لا يتعارض مع القوانين النافذة ويتحمل المرخص له كافة النتائج عن المخالفات التى تحصل في المحطة سواء حدثت هذه المخالفات منه مباشرة او عن أحد العاملين التابعين له. ومن هذه المخالفات ما يلي:

أ. خلط المشتقات النفطية او إحداث أي تغيير بمواصفاتها الأصلية.

ب- التلاعب في أجهزة قياس المشتقات النفطية المستلمة او المباعة والمخزون.

ج- الشراء والمتاجرة بالمشتقات النفطية مع غير المرخص لهم او بطريقة مخالفة للقوانين والأنظمة والتعليمات الصادرة عن الجهات المختصة.

د- الاهمال الذى يؤدي الى خلط المشتقات النفطية بالماء او غيره.

هـ- كافة الأعمال التى تؤدى الى الغش في كميات او مواصفات المشتقات النفطية.

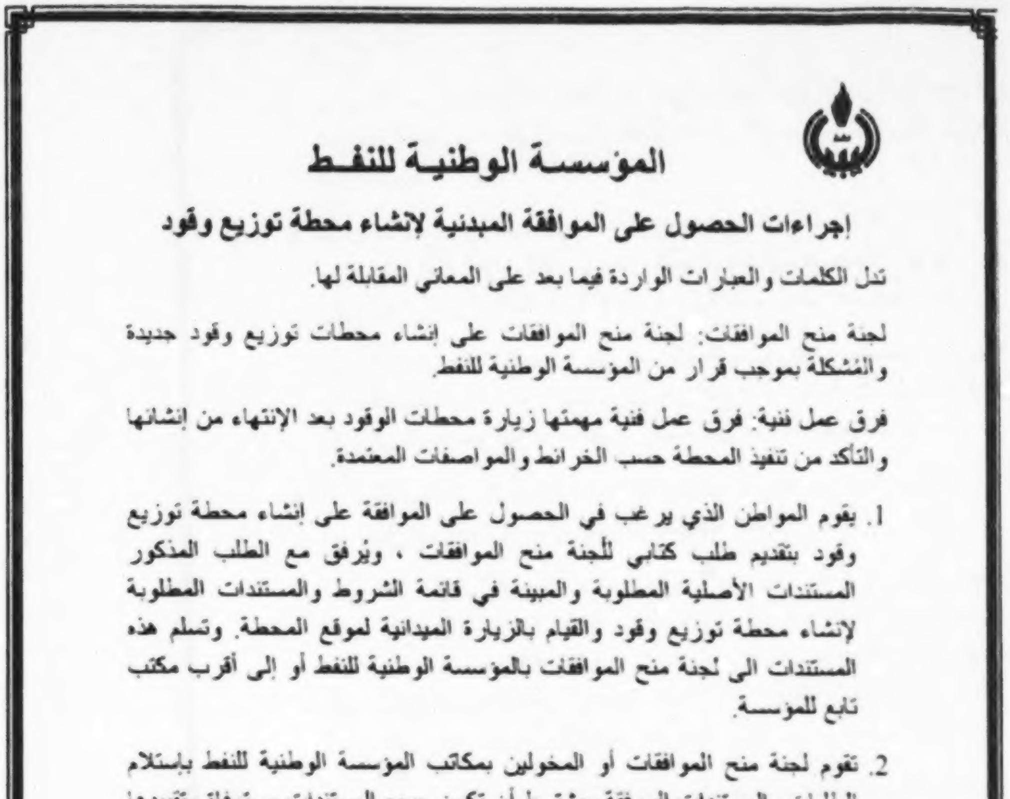
و- مخالفة التعليمات الصادرة عن هيئة السلامة الوطنية بخصوص إجراءات الأمن والسلامة ومكافحة الحرائق.

ح- في حالة ضبط المخالفة يتم ايقاف تزويد المحطة بالمشتقات النفطية لمدة (2) شهرين ولمدة (6) أشهر في حالة تكرار المخالفة بعد ذلك ، مع احتفاظ المؤسسة الوطنية للنفط بحقها في إيقاف تزويد المرخص له بالمشتقات النفطية في حالة تكرار المخالفات.

ي- في حالة ضبط أي مخالفة من الخالفات المذكورة أعلاه او غيرها مما يتعارض مع القوانين النافذة ، يتم احالة المرخص له والشخص او الأشخاص المخالفين الى المحاكم المختصة وحسب القوانين النافذة.

لا تحول هذه الإجراءات دون إتخاذ اية إجراءات قانونية اخرى من الجهات القضائية.

(12)



المؤسسة الوطنية للنفط

إجراءات الحصول على الموافقة المبدئية لإنشاء محطة توزيع وقود

تدل الكلمات والعبارات الواردة فيما بعد على المعاني المقابلة لها.

لجنة منح الموافقات: لجنة منح الموافقات على إنشاء محطات توزيع وقود جديدة والمشكلة بموجب قرار من المؤسسة الوطنية للنفط.

فرق عمل فنية: فرق عمل فنية مهمتها زيارة محطات الوقود بعد الإنتهاء من إنشائها والتأكد من تنفيذ المحطة حسب الخرائط والمواصفات المعتمدة.

1. يقوم المواطن الذي يرغب في الحصول على الموافقة على إنشاء محطة توزيع وقود بتقديم طلب كتابي للجنة منح الموافقات ، ويُرفق مع الطلب المذكور المستندات الأصلية المطلوبة والمبينة في قائمة الشروط والمستندات المطلوبة لإنشاء محطة توزيع وقود والقيام بالزيارة الميدانية لموقع المحطة. وتسلم هذه المستندات الى لجنة منح الموافقات بالمؤسسة الوطنية للنفط أو إلى أقرب مكتب تابع للمؤسسة.

2. تقوم لجنة منح الموافقات أو المخولين بمكاتب المؤسسة الوطنية للنفط باستلام الطلبات والمستندات المرفقة ويشترط أن تكون جميع المستندات مستوفاة وتقييدها في السجل المُعد لهذا الغرض، ويُصرف للمواطن إيصال استلام (نموذج رقم 01)

3. تقوم لجنة منح الموافقات بمخاطبة الفريق الفني (نموذج رقم 02) لغرض القيام بزيارة لمعاينة المواقع المقترحة لإنشاء محطات توزيع الوقود.

4. يقوم الفريق الفني بالتنسيق مع أقرب مكتب للمؤسسة الوطنية للنفط في تلك المنطقة وكذلك مقدمي الطلبات بزيارة المواقع المقترحة لإنشاء محطات توزيع الوقود والتأكد من تحقيق هذه المواقع للشروط الواردة في لائحة مشاركة القطاع الأهلي في مجال النفط والغاز.

5. يقوم الفريق الفني بمخاطبة لجنة منح الموافقات كتابيا حول نتائج زيارة كل موقع وتبين ما إذا كان الموقع يحقق الشروط الواردة في لائحة مشاركة القطاع الأهلي في مجال النفط والغاز. في حالة كون الموقع المقترح لا يحقق الشروط الواردة في اللائحة المذكورة يقوم الفريق الفني بإخطار صاحب الموقع كتابيا وفي هذه الحالة

(13)

يجوز له إجراء التعديلات المطلوبة والتي يحددها الفريق الفني لكي يحقق الموقع الشروط المطلوبة ، على أن يقوم الفريق الفني بالتنسيق مع المعني لزيارة الموقع مرة أخرى.

6. تقوم لجنة منح الموافقات فى حالة كون الموقع يحقق الشروط الواردة فى اللائحة وبناء على إفادة الفريق الفني بإخطار المعنى بذلك ويمنح **موافقة مبدئية** (نموذج رقم 03) لغرض استكمال بقية الإجراءات والحصول على الموافقة النهائية.

7. يقوم المواطن الذى تحصل على الموافقة المبدئية بتقديم المستندات المبينة فى قائمة المستندات المطلوبة للحصول على الموافقة النهائية لإنشاء محطة توزيع وقود إلى لجنة منح الموافقات لغرض الحصول على الموافقة النهائية.

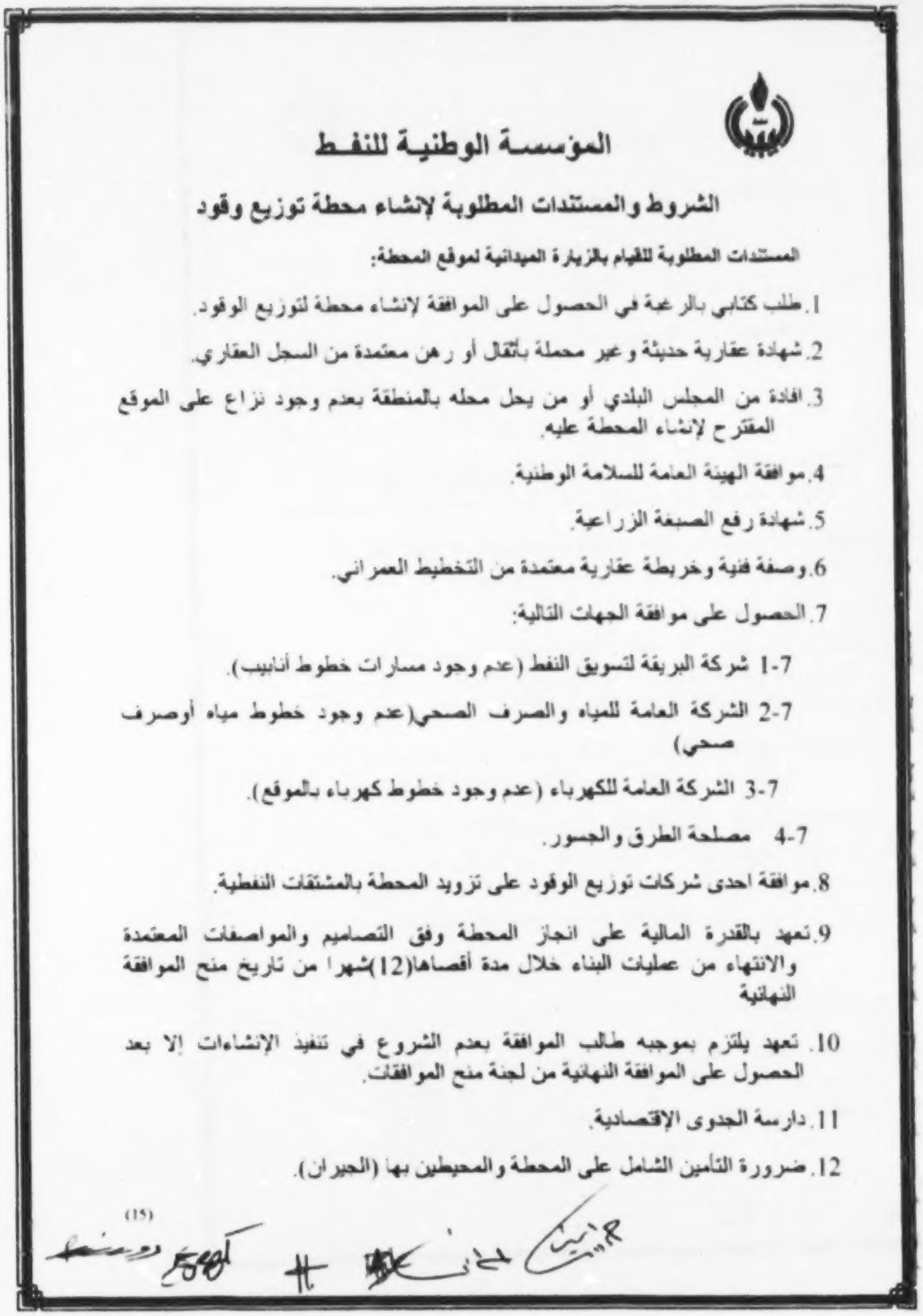
8. فى حالة استكمال الإجراءات وبما لا يتعارض مع القوانين واللوائح السارية تقوم لجنة منح الموافقات بإصدار **الموافقة النهائية** (نموذج رقم 04).

9. يجب الشروع فى عمليات إنشاء محطة الوقود خلال فترة لا تتجاوز ستة (6) اشهر من تاريخ الموافقة النهائية وإلا اعتبرت الموافقة لاغيه. ويجوز للجنة منح الموافقات تجديد الموافقة مرة واحدة ولمدة لا تزيد على (3) ثلاثة اشهر بناء طلب كتابى يقدم الى لجنة منح الموافقات قبل انتهاء الموافقة النهائية بمدة لا تقل عن (30) ثلاثون يوما من تاريخ انتهاء الموافقة.

10. يقوم صاحب المحطة بعد الانتهاء من جميع عمليات إنشاء المحطة بإخطار لجنة منح الموافقات كتابيا بالانتهاء كليا من تنفيذ المحطة.

11. تقوم لجنة منح الموافقات بتكليف الفريق الفنى كتابيا وتطلب زيارة محطة الوقود المستكملة ومعاينتها والتاكد من مطابقة تنفيذ هذه المحطة للمواصفات المعتمدة بالخرائط واللائحة وتقدم تقرير عن نتائج زيارة كل محطة.

12. بناء على نتائج زيارة الفريق الفنى وفى حالة أن تنفيذ المحطة كان مطابق للمواصفات المعتمدة بالخرائط_واللائحة تقوم لجنة منح الموافقات بمخاطبة الشركة المتعهدة بتزويد المحطة المعنية بالوقود والإفادة بالموافقة على تزويد المحطة بالمشتقات النفطية وحسب الإجراءات المتبعة في هذا الخصوص.



المؤسسة الوطنية للنفط

الشروط والمستندات المطلوبة لإنشاء محطة توزيع وقود

المستندات المطلوبة للقيام بالزيارة الميدانية لموقع المحطة:

1. طلب كتابي بالرغبة في الحصول على الموافقة لإنشاء محطة لتوزيع الوقود.

2. شهادة عقارية حديثة وغير محملة بأثقال أو رهن معتمدة من السجل العقاري.

3. افادة من المجلس البلدي أو من يحل محله بالمنطقة بعدم وجود نزاع على الموقع المقترح لإنشاء المحطة عليه.

4. موافقة الهيئة العامة للسلامة الوطنية.

5. شهادة رفع الصبغة الزراعية.

6. وصفة فنية وخريطة عقارية معتمدة من التخطيط العمراني.

7. الحصول على موافقة الجهات التالية:

    1-7 شركة البريقة لتسويق النفط (عدم وجود مسارات خطوط أنابيب).

    2-7 الشركة العامة للمياه والصرف الصحي(عدم وجود خطوط مياه أوصرف صحي)

    3-7 الشركة العامة للكهرباء (عدم وجود خطوط كهرباء بالموقع).

    4-7 مصلحة الطرق والجسور.

8. موافقة احدى شركات توزيع الوقود على تزويد المحطة بالمشتقات النفطية.

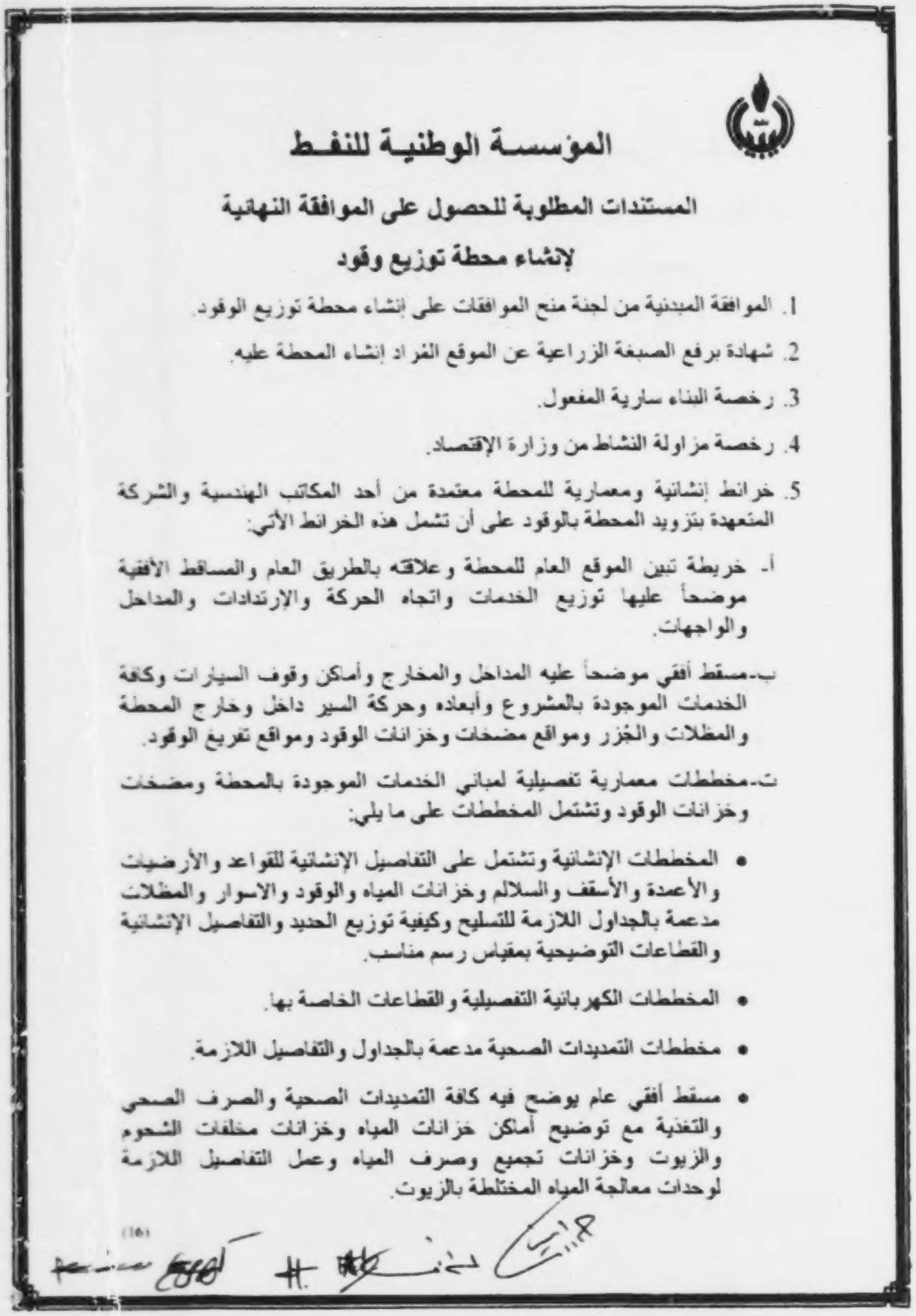
9. تعهد بالقدرة المالية على انجاز المحطة وفق التصاميم والمواصفات المعتمدة والانتهاء من عمليات البناء خلال مدة أقصاها(12)شهرا من تاريخ منح الموافقة النهائية

10. تعهد يلتزم بموجبه طالب الموافقة بعدم الشروع في تنفيذ الإنشاءات إلا بعد الحصول على الموافقة النهائية من لجنة منح الموافقات.

11. دارسة الجدوى الإقتصادية.

12. ضرورة التأمين الشامل على المحطة والمحيطين بها (الجيران).

(15)



المؤسسة الوطنية للنفط

المستندات المطلوبة للحصول على الموافقة النهائية

لإنشاء محطة توزيع وقود

1. الموافقة المبدئية من لجنة منح الموافقات على إنشاء محطة توزيع الوقود.
2. شهادة برفع الصبغة الزراعية عن الموقع المراد إنشاء المحطة عليه.
3. رخصة البناء سارية المفعول.
4. رخصة مزاولة النشاط من وزارة الإقتصاد.
5. خرائط إنشائية ومعمارية للمحطة معتمدة من أحد المكاتب الهندسية والشركة المتعهدة بتزويد المحطة بالوقود على أن تشمل هذه الخرائط الأتي:

أ- خريطة تبين الموقع العام للمحطة وعلاقته بالطريق العام والمساقط الأفقية موضحاً عليها توزيع الخدمات واتجاه الحركة والإرتدادات والمداخل والواجهات.

ب- مسقط أفقي موضحاً عليه المداخل والمخارج وأماكن وقوف السيارات وكافة الخدمات الموجودة بالمشروع وأبعاده وحركة السير داخل وخارج المحطة والمظلات والجُزر ومواقع مضخات وخزانات الوقود ومواقع تفريغ الوقود.

ت- مخططات معمارية تفصيلية لمباني الخدمات الموجودة بالمحطة ومضخات وخزانات الوقود وتشتمل المخططات على ما يلي:

- المخططات الإنشائية وتشتمل على التفاصيل الإنشائية للقواعد والأرضيات والأعمدة والأسقف والسلالم وخزانات المياه والوقود والاسوار والمظلات مدعمة بالجداول اللازمة للتسليح وكيفية توزيع الحديد والتفاصيل الإنشائية والقطاعات التوضيحية بمقياس رسم مناسب.
- المخططات الكهربائية التفصيلية والقطاعات الخاصة بها.
- مخططات التمديدات الصحية مدعمة بالجداول والتفاصيل اللازمة.
- مسقط أفقي عام يوضح فيه كافة التمديدات الصحية والصرف الصحي والتغذية مع توضيح أماكن خزانات المياه وخزانات مخلفات الشحوم والزيوت وخزانات تجميع وصرف المياه وعمل التفاصيل اللازمة لوحدات معالجة المياه المختلطة بالزيوت.

(16)

6- عقد مع أحد المكاتب الهندسية المعتمدة بالموافقة على الإشراف الفني على عملية تنفيذ المحطة.

7- تعهد بعدم إجراء أي تغيير على الخرائط المعتمدة.

Source: Confidential

Annex 47 The Zawiyah Smuggling Network

1. A network of armed groups, present in Zawiyah, Sabratha, Warshefana, Zintan, Surman, al-Ojeilate and Zuwarah, benefits from fuel smuggling. They also benefited from protection provided by local and national political sponsors.

2. Between 2011 and 2014, local groups have disputed control over Zawiyah refinery. On 5 July 2014, a few days before launching of Operation Libya Dawn, the Petroleum Facilities Commander, the late Colonel Ali al-Ahrash, officially put al-Nasr Brigade, under the command of Mohammad Kachlaf, in charge of providing security to Zawiyah refinery. The control over the refinery by al Nasr was agreed with Shaaban Hadiya (a.k.a Abu Obeyda al Zawi) commander of the Libya Revolutionaries Operation Room (LROR).

3. Ahmad al-Dabbashi's armed group in Sabratha also benefited from smuggling of petroleum products by taxing truck tankers (see S/2017/466, para. 240). Other groups also profited from the smuggling. The most important are: Jamal al-Ghaeb Brigade based al-Matrad in western Zawiyah; Ali Kardamine's group in southern Zawiya; the Central Security Apparatus influential in Sabratha and Surman; al-Sobertawate Brigade in Warshefana and the Zintani al-Qorj brigade. Over the last couple of months, trucks were usually taxed between 4500 and 6000 LYD at checkpoints. Numerous attacks against fuel trucks increased insecurity in the region and deprived local populations from access to fuel.

Annex 48 Documents provided to the Panel by Mohamed Kachlaf

1. The following is an official translation of the documents provided to the Panel by Mohamed Kachlaf in April 2018.

Translated from Arabic

State of Libya

Government of National Accord

26 February 2018

Re: Request for a meeting

To: Panel of Experts of the Security Council committee established pursuant to resolution 1970 (2011) concerning Libya

From: Muhammad al-Amin al-Arabi Kashlaf

Commander of the Zawiyah support unit of the Petroleum Facilities Guard

Sir,

We would like thank you for your unwavering commitment to the rights of citizens and for maintaining the credibility and transparency of your ongoing research and fact-finding efforts. We wish to cooperate with you and would to meet with you in order correct the inaccuracies in your report on the security situation in Libya in 2016 and 2017. We therefore hope that you will set a date for our meeting. We attach herewith some documents that attest to the veracity of the information that we have submitted. Thank you for your cooperation and peace be upon you.

(Signed) Muhammad al-Amin al-Arabi Kashlaf

Sharara Oil Services Company

Date [Illegible]

Ref. No. [Illegible)

To: Zawiyah Victory squadron

Sir,

Sharara Oil Services Company conveys to you its best wishes. As part of our fruitful cooperation in the public interest, we hope that you will provide the necessary protection for the company's facilities, namely, its sales office, oil depot and transport and distribution unit in Zawiyah city. We thank you in advance.

Long live free Libya, and peace be upon you.

(Signed) Abdulnasir al-Arabi Darra'

Director-General

cc:

Head of the Zawiyah Local Council

Head of the Zawiyah Military Council

Chair of the Board of Directors

Outgoing documents file

Government of National Accord

Ministry of Local Governance

Zawiyah Local Council

Ref. No.: 39/2017

9 Rabi' II A.H 1438 (8 January A.D. 2017)

To: Commander, Zawiyah support unit

Sir,

With regard to your letter of 5 January 2017, under reference number *waw alif za'*/102, in which you advise us that you will cease the services that the Petroleum Facilities Guard ordered you to provide pursuant to Decision No. 10 (2014), we request that you promptly resume protecting the oil region from security breaches, in order to defend the public interest.

(Signed)Najib al-Sadiq al-Bashti

Head of the Zawiyah Local Council

cc:

Deputy Head of the Council

Sectors file

Fuel Monitoring Committee file

Periodic public record file

Brega Petroleum Marketing Company

A National Oil Corporation company

Internal company correspondence

Muhammad Salim al-Qamudi, Director of the Regional Administration of Zawiyah

Bashir Muhammad Zuraybah, Director-General of regions ghayn jim

8 January 2017

Sir,

With reference to Decision No. 10 (2014) issued by the Ministry of Defence concerning the deployment of a support unit (Victory Company) to protect facilities belonging to the Brega Petroleum Marketing Company, we wish to inform you that there have been no attacks against the Brega Company's property in the Zawiyah oil depot between 5 July 2014, when the company was deployed, and the end of 2016. Moreover, no materials or vehicles have been stolen from company sites, and no security breaches have occurred. In contrast, during the period before the company was deployed, a number of vehicles were stolen, and the depot was closed on more than one occasion.

Peace be upon you.

Attached is a copy of the decision.

(Signed)

cc:

Depot coordinator

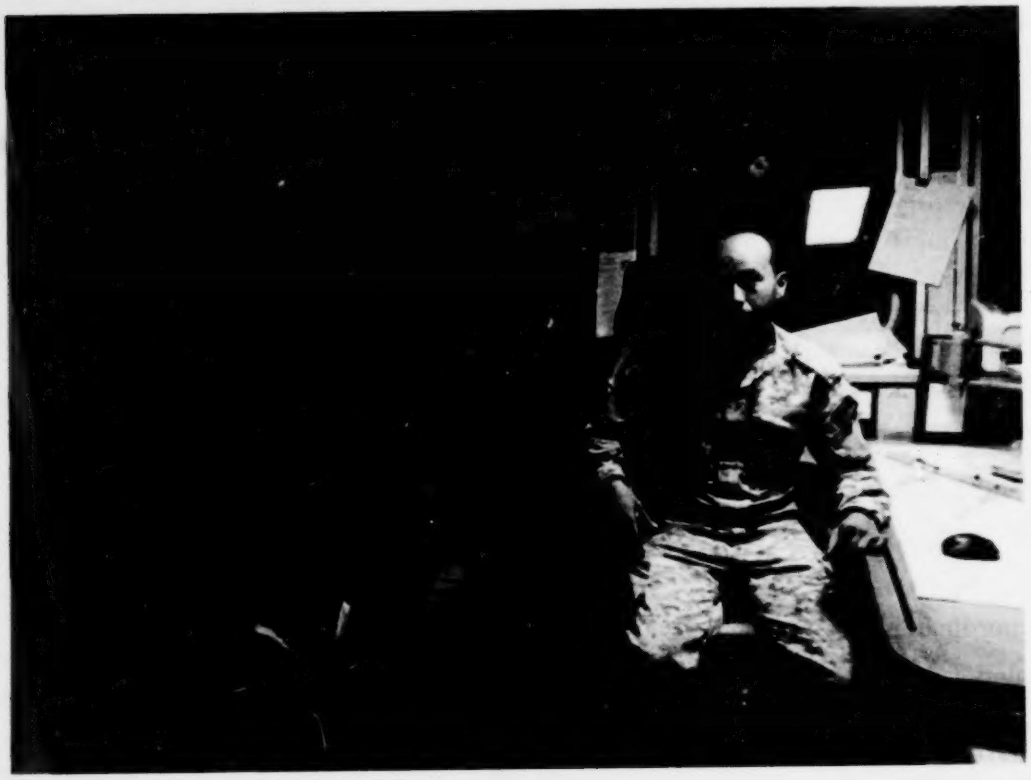
Outgoing documents file

Source: Mohamed Kachlaf (Translated by United Nations)

Annex 49 Collusion between the Coast Guards unit in Zawiyah and al-Nasr Brigade

1. On 28 June 2016, the Coastguard unit in Zawiyah seized a fuel tanker, the Temeteron (IMO 8917170, see S/2017/466 para. 241), off the coast of Abu Kammash near Zuwarah.[14] The tanker and its crew were then taken to Tripoli Naval Base. Three of the nine crew members held were Russian nationals. The Belize-flagged tanker was boarded by the Coastguard unit in Zawiyah. Photos obtained by the Panel show both Abd al-Rahman al-Milad (commander of Coastguard unit in Zawiyah) and Mohammad Kachlaf on board. The first one shows Mohammad Kachlaf, in his military uniform, present on the bridge of the ship and surrounded by the arrested crew. The second photo below shows al-Milad photographed from behind.

Picture 21 Mohammad Kachlaf on board the Temeteron after the seizure



Source: Confidential

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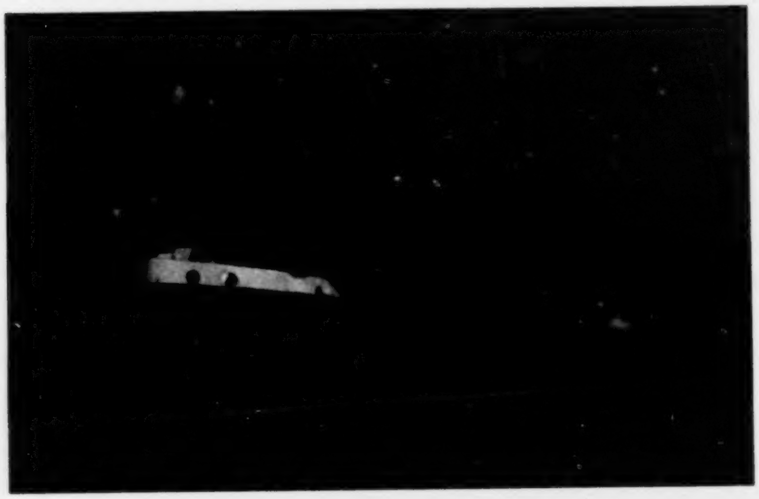
[14] The Coastguard stop a fuel tanker with 5 Russians on board, al Wasat, 30 June 2017, http://alwasat.ly/ar/news/libya/110348/

Picture 22 Abd al-Rahman al-Milad on board the Temeteron

Source: Confidential

Picture 23 Temeteron seized by Zawiyah Coastguard on 28 June 2016. This picture was taken in Greece, where the vessel was seized for carrying an illegal load of diesel on 1 April 2016, prior its interception by the Libyan Coastguard



Source: Shipspotting.com[15]

2. According to sources in Zawiyah, seizures and arrests by the Coastguard unit in Zawiyah of fuel tankers are sometimes influenced by business interests of Mohammad Kachlaf. al-Milad 's appointment in the Coastguard in Zawiyah late 2014 was done following Kachlaf's intervention (See S/2017/466, annex 30). As pointed out in the previous report, al-Milad used the Coastguard's boat in order to intercept migrants at sea and transport them to al Nasr detention centre, from where they were sold again to smugglers.

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[15] http://www.shipspotting.com/gallery/photo.php?lid=2253177

Annex 50 Documents provided by Abd al-Rahman al-Milad, commander of the Coastguard Unit in Zawiyah

1. The following is an official translation of the documents provided to the Panel by Abd al-Rahman al-Milad, in April 2018, attesting that the mission was conducted based on an order by his Coastguard hierarchy.

Chief of General Staff

Navy

Coast Guard and Port Security Authority

Western Sector

Zawiyah Refinery post

Subject: Report concerning the seizure of a tanker engaged in smuggling

File No. 167-18

1 July 2016

To: Commander, Western Sector, Coast Guard and Port Security Authority

We hereby inform you that, at 5 a.m. on 28 June 2016, a joint patrol comprising a Libyan Petroleum Facilities Guard support squadron and personnel from the Zawiya refinery post of the Coast Guard and Port Security Authority set out in an inflatable French S7 boat and a Korean S9 vessel, heading north-west. At 11.30 a.m., a group of vessels (three tankers of various sizes) was spotted north-west of the city of Zuwarah. We suspected that the tankers were being used to smuggle diesel fuel. A group of tugboats was spotted near the tankers. At noon, at coordinates 33° 17' N, 11° 48' E, we decided to board one of the vessels to determine whether its paperwork was in order. Once on board, we learned that the tanker was named *Temeteron*. It was flying the Ukrainian flag and was the property of Contrasto Shipping Ltd. It became apparent that the tanker was set up to smuggle fuel. There were no symbols of the Libyan State on the vessel. The crew consisted of nine persons, namely, the Russian captain, the Ukrainian chief mate, a Russian mechanical engineer, five Ukrainian sailors and one Greek national. We attach herewith a copy of the list of the crewmen's names and nationalities.

At approximately 6 p.m., we came under heavy gunfire directed at us from a yacht with heavy weapons on board (Dushka)[*incomprehensible*]. We returned fire, wounding one person on the yacht. They fled, leaving the port of Zuwarah.

At 10.30 p.m., a vessel belonging to the Zawiyah refinery post patrol arrived because the [*incomprehensible*] of the Korean S9 vessel had broken down and it was low on fuel.

At 2.30 a.m., we arrived at Shi'ab port in Tripoli and boarded the tanker.

At 3.30 a.m., the tanker was turned over to Captain Anwar al-Sharif of the Coast Guard and Port Security administration.

(Signed) Captain Abdulrahman Salim al-Milad

Commander

Zawiyah refinery post

Coast Guard and Port Security Authority

Annexes:

Copy of the patrol report

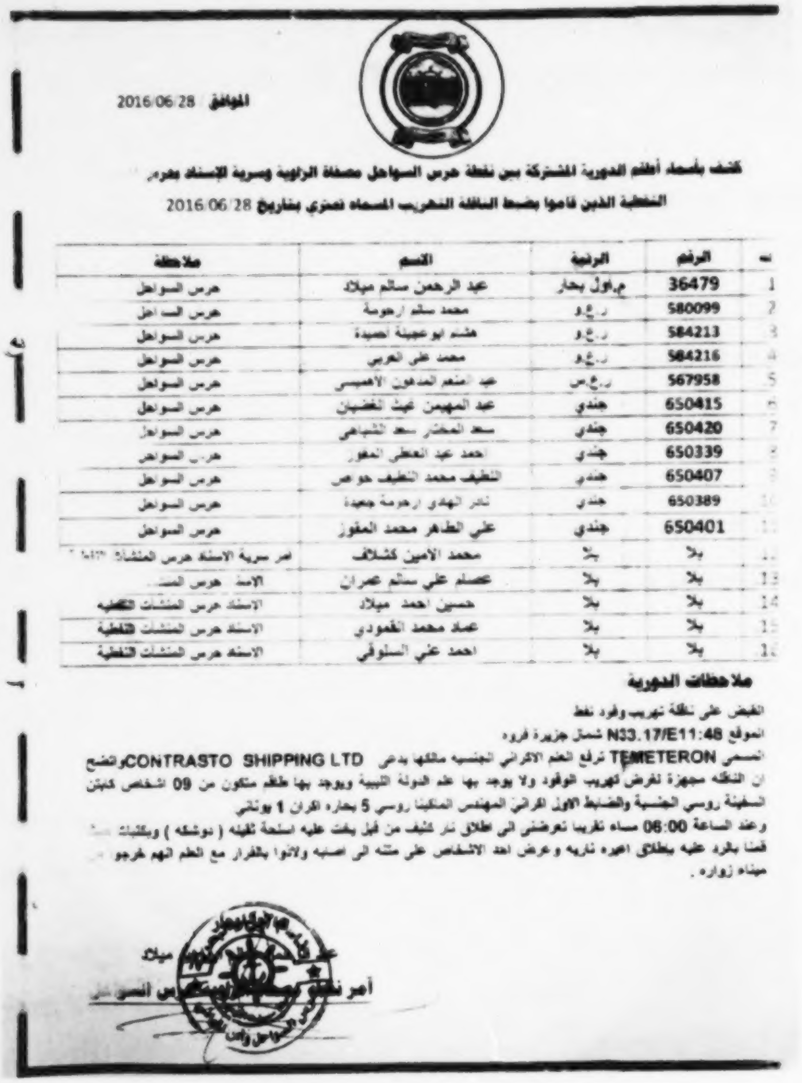
Copy of the list of crewmen's names

Copy of the specifications of the tanker

[Illegible] of last five ports

Source: Abderahman al al-Milad (Translated by United Nations)

2. The following is the list of the crew on board the Coastguard patrol boat that intercepted the Temeteron. Both al-Milad and Kachlaf are on the list.



الموافق 2016/06/28

كشف بأسماء أطقم الدورية المشتركة بين نقطة حرس السواحل مصفاة الزاوية وسرية الإسناد بحرس
النفطية الذين قاموا بضبط الناقلة التهريب المسماه تمتري بتاريخ 2016/06/28

ت	الرقم	الرتبة	الاسم	ملاحظة
1	36479	م.أول بحار	عبد الرحمن سالم ميلاد	حرس السواحل
2	580099	ر.ع.و	محمد سالم ارحومة	حرس السواحل
3	584213	ر.ع.و	هشام ابوعجيلة احميدة	حرس السواحل
4	584216	ر.ع.و	محمد علي العربي	حرس السواحل
5	567958	ر.ع.س	عبد المنعم المدهون الاعميسي	حرس السواحل
6	650415	جندي	عبد المهيمن غيث الغضبان	حرس السواحل
7	650420	جندي	سعد المختار سعد الشباهي	حرس السواحل
8	650339	جندي	احمد عبد العاطي المغور	حرس السواحل
9	650407	جندي	النطيف محمد النطيف حواس	حرس السواحل
10	650389	جندي	نادر الهادي ارحومة جعيدة	حرس السواحل
11	650401	جندي	علي الطاهر محمد المغوز	حرس السواحل
12	بلا	بلا	محمد الامين كشلاف	آمر سرية الاسناد حرس المنشآت
13	بلا	بلا	عصام علي سالم عمران	الاسناد حرس المنـ
14	بلا	بلا	حسين احمد ميلاد	الاسناد حرس المنشآت النفطيه
15	بلا	بلا	عماد محمد القمودي	الاسناد حرس المنشآت النفطية
16	بلا	بلا	احمد علي السلوقي	الاسناد حرس المنشآت النفطية

ملاحظات الدورية

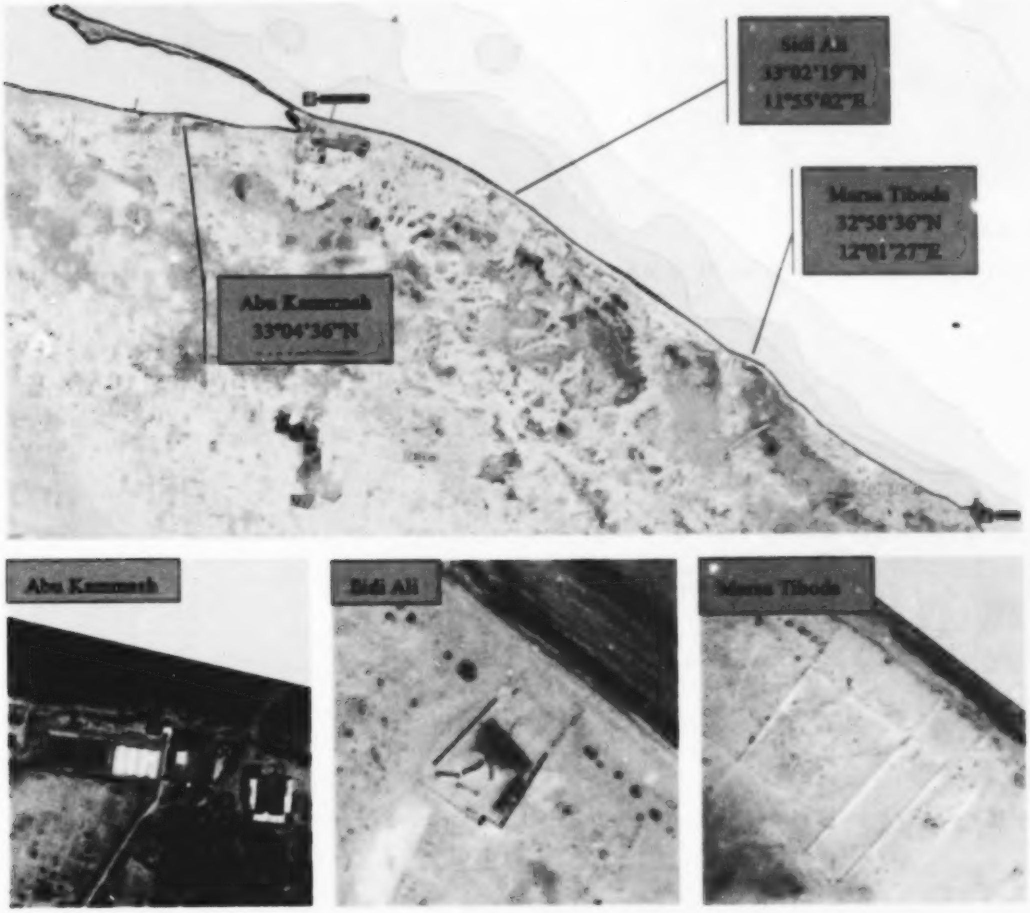
القبض على ناقلة تهريب وقود نفط
الموقع N33.17/E11:48 شمال جزيرة فروة
المسمى **TEMETERON** ترفع العلم الاكراني الجنسيه مالكها يدعى **CONTRASTO SHIPPING LTD** واتضح ان الناقله مجهزة لغرض تهريب الوقود ولا يوجد بها علم الدولة الليبية ويوجد بها طاقم متكون من **09** اشخاص كابتن السفينة روسي الجنسية والضابط الاول اكراني المهندس الماكينا روسي **5** بحارة اكران **1** يوناني
وعند الساعة **06:00** مساء تقريبا تعرضنا الى اطلاق نار كثيف من قبل يخت عليه اسلحة ثقيله (دوشكه) وبكتيبات
قمنا بالرد عليه باطلاق اعيره ناريه و عرض احد الاشخاص على متنه الى اصابه ولاذوا بالفرار مع العلم انهم خرجو
ميناء زواره .

ميلاد
آمر نقطة [illegible] حرس السواحل

Source: Abderahman al al-Milad

Annex 51 Pumping stations for fuel smuggling in Zuwarah area

1. Sources informed the Panel about three pumping stations, located on the coast between Zuwarah and Abu Kammash, that supply fuel to smuggling ships. The vessels usually remain between 1 and 2 nautical miles offshore.

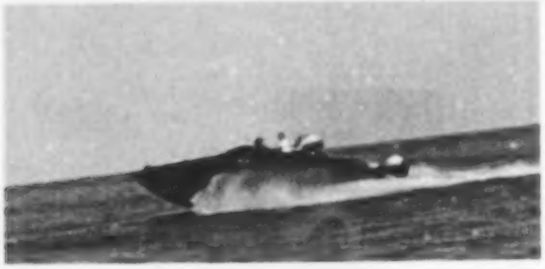


Source: Confidential

2. Abu Kammash is owned by Morad Idrissi, Liasa Younis Alazabi and Mohamed Jarrafa, who also "rent" the facilities to other individuals. Sidi Ali's owners are unknown, and its facilities are "rented" to several Zuwarah smugglers. Marsa Tiboda's pumpimg station is owned and operated by Fahmi Musa Bin Khalifa (a.k.a. Fahmi Slim), and his brothers.

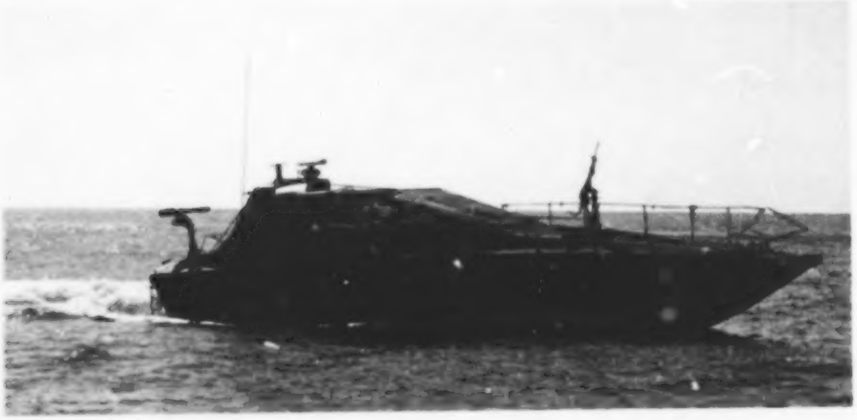
Annex 52 Patrol boats used by smugglers in Zuwarah and Abu Kammash area

Picture 24 A motor yacht probably modified to become a patrol boat



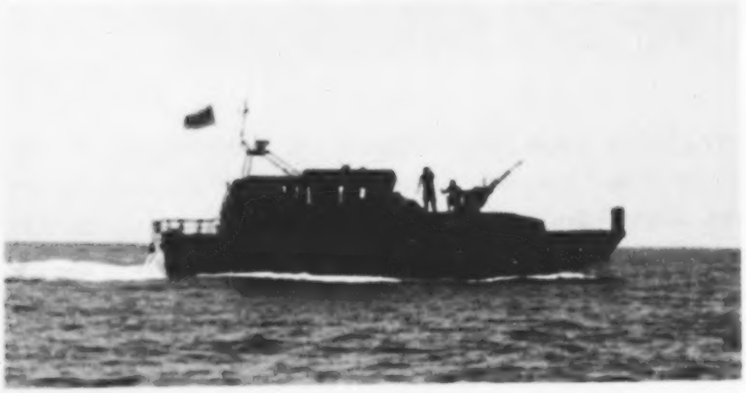
Source: Confidential

Picture 25 A second motor yacht probably modified to become a patrol boat. On the bow and the stern, heavy machine guns



Source: Confidential

Picture 26 Probably a former pilot boat modified into a patrol boat. On the bow, an anti-aircraft 23mm machine gun



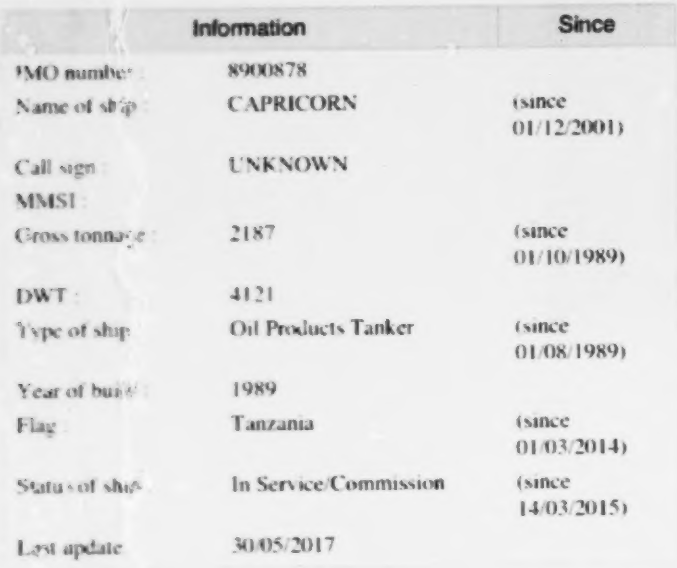
Source: Confidential

Picture 27 The former pilot boat

Source: Confidential

Annex 53 Capricorn

1. The details of the vessel are:

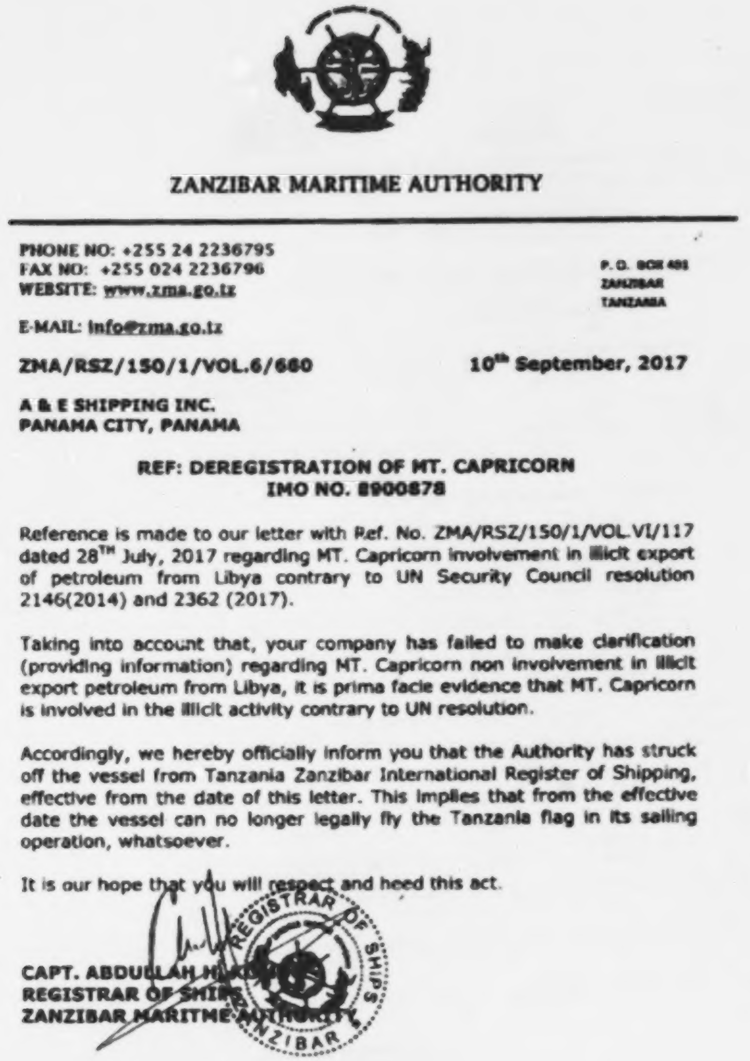


Information		Since
IMO number :	8900878	
Name of ship :	CAPRICORN	(since 01/12/2001)
Call sign :	UNKNOWN	
MMSI :		
Gross tonnage :	2187	(since 01/10/1989)
DWT :	4121	
Type of ship :	Oil Products Tanker	(since 01/08/1989)
Year of build :	1989	
Flag :	Tanzania	(since 01/03/2014)
Status of ship :	In Service/Commission	(since 14/03/2015)
Last update :	30/05/2017	

Source: Equasis

2. On 19 July 2017, the Chargé d'affairs a.i. of the Permanent Mission of Libya to the UN forwarded an email correspondence dated 7 July 2017 in which the focal point appointed pursuant to resolution 2146 (2014), Dr. Abdallah Ateiga, informed about a vessel loading smuggled gasoil offshore Zuwarah (Libya).

3. On 25 October 2017, the Panel received a letter, with attachment (see below), from the Permanent Representative of the United Republic of Tanzania to the United Nations indicating that the vessel *Capricorn* has been deregistered from the Tanzania Zanzibar International Register of Shipping on 10 September 2017. Its current flag remains unknown.



ZANZIBAR MARITIME AUTHORITY

PHONE NO: +255 24 2236795
FAX NO: +255 024 2236796
WEBSITE: www.zma.go.tz

E-MAIL: info@zma.go.tz

P. O. BOX 401
ZANZIBAR
TANZANIA

ZMA/RSZ/150/1/VOL.6/660 **10th September, 2017**

A & E SHIPPING INC.
PANAMA CITY, PANAMA

REF: DEREGISTRATION OF MT. CAPRICORN
IMO NO. 8900878

Reference is made to our letter with Ref. No. ZMA/RSZ/150/1/VOL.VI/117 dated 28TH July, 2017 regarding MT. Capricorn involvement in illicit export of petroleum from Libya contrary to UN Security Council resolution 2146(2014) and 2362 (2017).

Taking into account that, your company has failed to make clarification (providing information) regarding MT. Capricorn non involvement in illicit export petroleum from Libya, it is prima facie evidence that MT. Capricorn is involved in the illicit activity contrary to UN resolution.

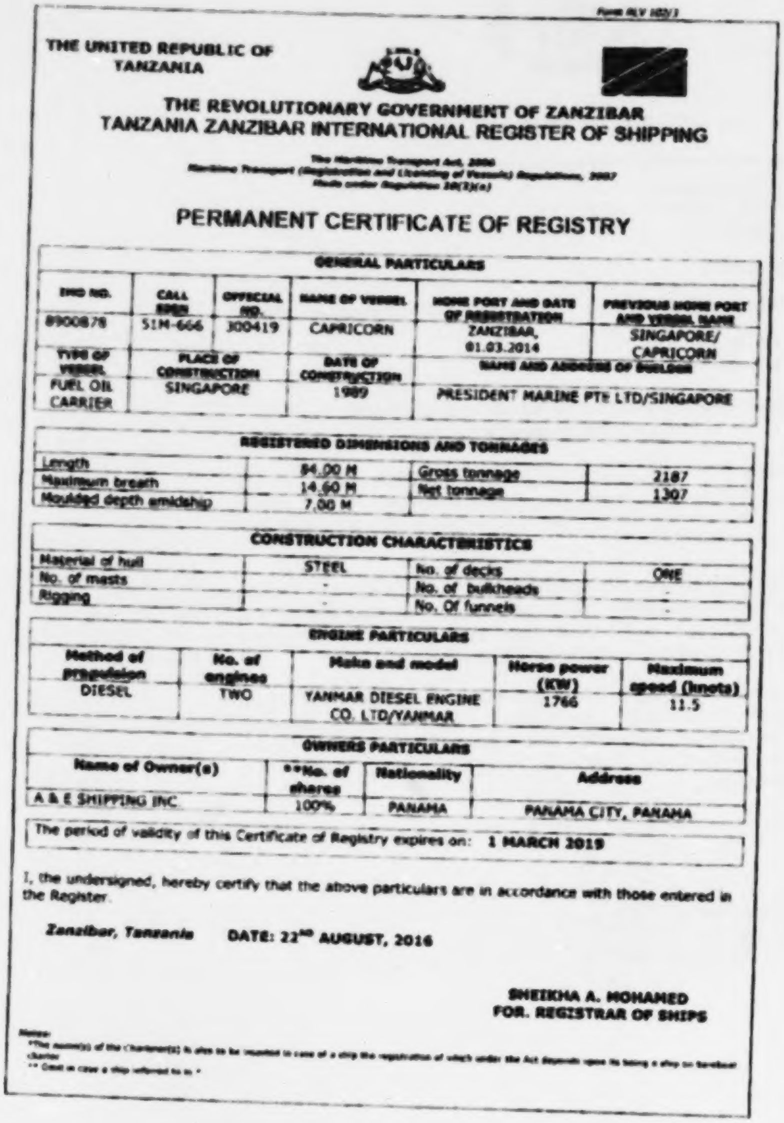
Accordingly, we hereby officially inform you that the Authority has struck off the vessel from Tanzania Zanzibar International Register of Shipping, effective from the date of this letter. This implies that from the effective date the vessel can no longer legally fly the Tanzania flag in its sailing operation, whatsoever.

It is our hope that you will respect and heed this act.

CAPT. ABDULLAH H[illegible]
REGISTRAR OF SHIPS
ZANZIBAR MARITME AUTHORITY

Source: Zanzibar Maritime Authority

4. The *Capricorn* was registered on 1 March 2014 by "A&E Shipping Inc.", a Panamanian company based in Panama City.



THE UNITED REPUBLIC OF
TANZANIA

THE REVOLUTIONARY GOVERNMENT OF ZANZIBAR
TANZANIA ZANZIBAR INTERNATIONAL REGISTER OF SHIPPING

PERMANENT CERTIFICATE OF REGISTRY

GENERAL PARTICULARS

IMO NO.	CALL SIGN	OFFICIAL NO.	NAME OF VESSEL	HOME PORT AND DATE OF REGISTRATION	PREVIOUS HOME PORT AND VESSEL NAME
8900878	5IM-666	300419	CAPRICORN	ZANZIBAR, 01.03.2014	SINGAPORE/ CAPRICORN

TYPE OF VESSEL	PLACE OF CONSTRUCTION	DATE OF CONSTRUCTION	NAME AND ADDRESS OF BUILDER
FUEL OIL CARRIER	SINGAPORE	1989	PRESIDENT MARINE PTE LTD/SINGAPORE

REGISTERED DIMENSIONS AND TONNAGES

Length	84.00 M	Gross tonnage	2187
Maximum breath	14.60 M	Net tonnage	1307
Moulded depth amidship	7.00 M		

CONSTRUCTION CHARACTERISTICS

Material of hull	STEEL	No. of decks	ONE
No. of masts	-	No. of bulkheads	-
Rigging	-	No. Of funnels	-

ENGINE PARTICULARS

Method of propulsion	No. of engines	Make and model	Horse power (KW)	Maximum speed (knots)
DIESEL	TWO	YANMAR DIESEL ENGINE CO. LTD/YANMAR	1766	11.5

OWNERS PARTICULARS

Name of Owner(s)	**No. of shares	Nationality	Address
A & E SHIPPING INC.	100%	PANAMA	PANAMA CITY, PANAMA

The period of validity of this Certificate of Registry expires on: **1 MARCH 2019**

I, the undersigned, hereby certify that the above particulars are in accordance with those entered in the Register.

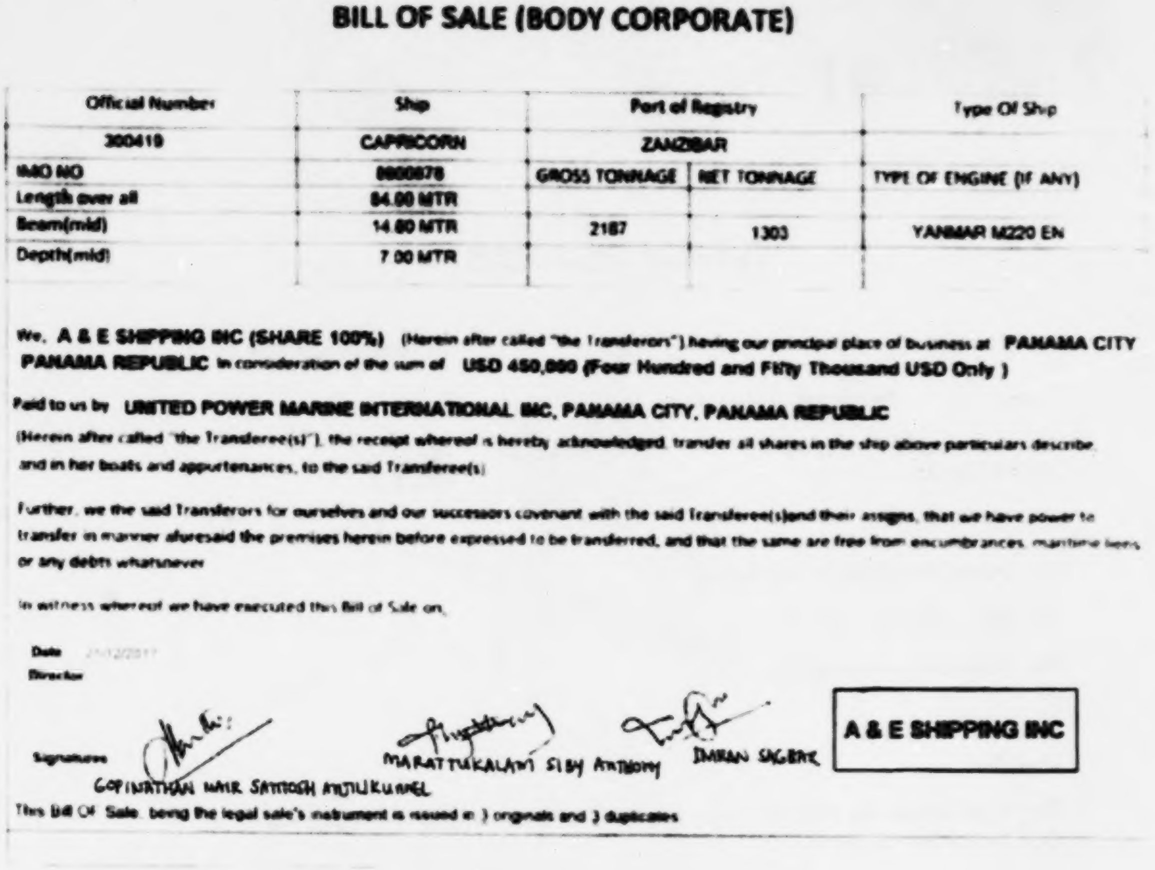
Zanzibar, Tanzania **DATE: 22ND AUGUST, 2016**

SHEIKHA A. MOHAMED
FOR. REGISTRAR OF SHIPS

Source: Zanzibar Maritime Authority

5. On 11 August 2017 the *Capricorn* was allowed to unload its cargo in the tanks of the "Syrian Company for Oil Transportation" by the Syrian authorities.

6. On 21 December 2018, the tanker changed ownership. It was sold by "A&E Shipping Inc" to "United Power Marine International Inc", both companies registered in Panama City, Panama Republic.



BILL OF SALE (BODY CORPORATE)

Official Number	Ship	Port of Registry		Type Of Ship
300419	CAPRICORN	ZANZIBAR		
IMO NO	8800878	GROSS TONNAGE	NET TONNAGE	TYPE OF ENGINE (IF ANY)
Length over all	84.00 MTR			
Beam(mld)	14.80 MTR	2187	1303	YANMAR M220 EN
Depth(mld)	7.00 MTR			

We, **A & E SHIPPING INC (SHARE 100%)** (Herein after called "the Transferors") having our principal place of business at **PANAMA CITY PANAMA REPUBLIC** in consideration of the sum of **USD 450,000 (Four Hundred and Fifty Thousand USD Only)**

Paid to us by **UNITED POWER MARINE INTERNATIONAL INC, PANAMA CITY, PANAMA REPUBLIC**

(Herein after called "the Transferee(s)"), the receipt whereof is hereby acknowledged, transfer all shares in the ship above particulars describe and in her boats and appurtenances, to the said Transferee(s)

Further, we the said Transferors for ourselves and our successors covenant with the said Transferee(s)and their assigns, that we have power to transfer in manner aforesaid the premises herein before expressed to be transferred, and that the same are free from encumbrances, maritime liens or any debts whatsoever

In witness whereof we have executed this Bill of Sale on,

Date 21/12/2017

Director

Signatures

GOPINATHAN NAIR SATHISH MUTTIKUNNEL

MARATTUKALAM SIBY ANTHONY

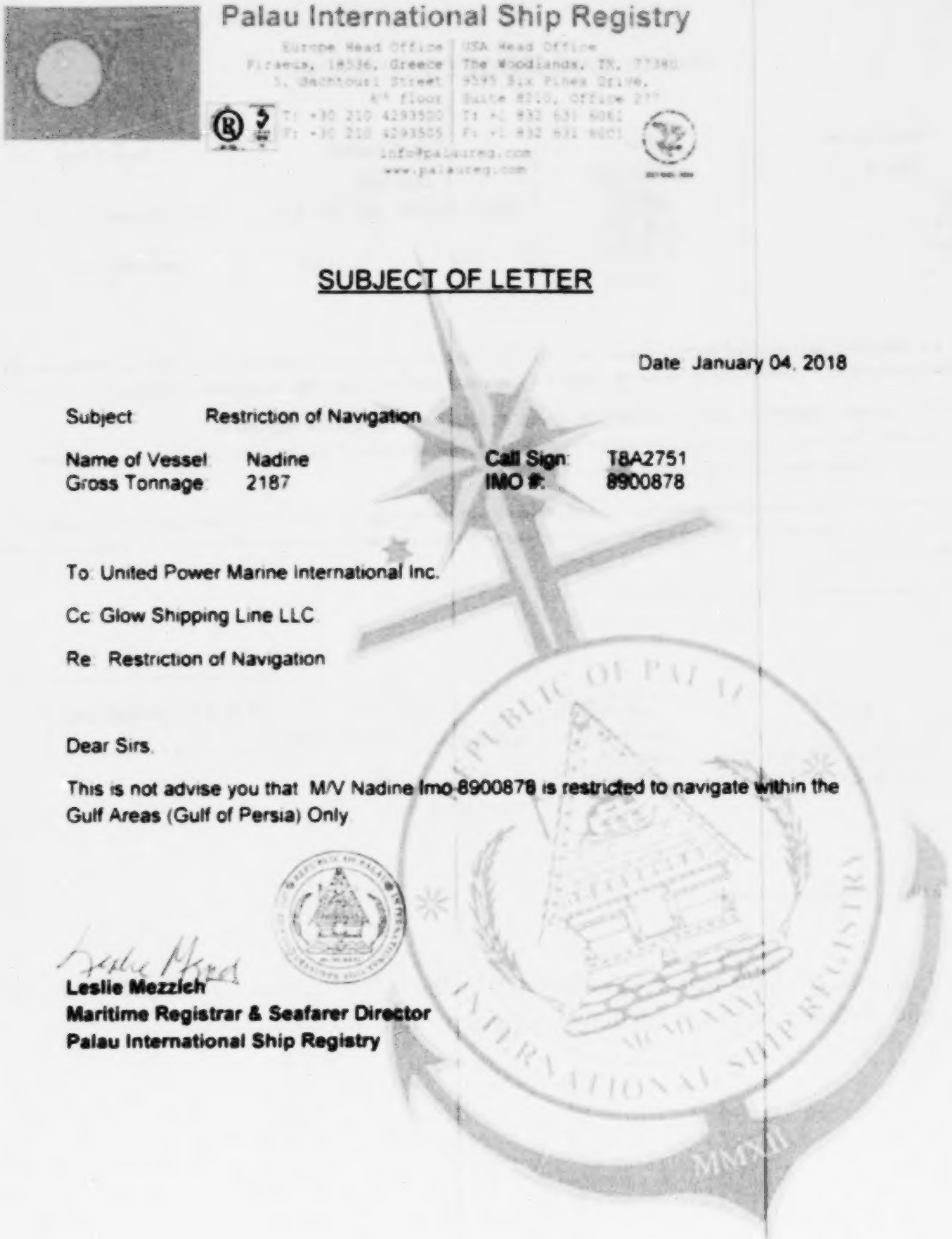
IMRAN SAGBRK

A & E SHIPPING INC

This Bill Of Sale, being the legal sale's instrument is issued in 3 originals and 3 duplicates

Source: Zanzibar Maritime Authority

7. On 4 January 2018, the tanker was registered by the Palau International Ship Registry, under the new name of *Nadine*, with a restriction to navigate within the Persian Gulf area.



Palau International Ship Registry

Europe Head Office
Piraeus, 18536, Greece
5, Dachtouri Street
6th floor
T: +30 210 4293500
F: +30 210 4293505

USA Head Office
The Woodlands, TX, 77380
9595 Six Pines Drive,
Suite 8210, Office 277
T: +1 832 631 6061
F: +1 832 631 6001

info@palaureg.com
www.palaureg.com

SUBJECT OF LETTER

Date: January 04, 2018

Subject: Restriction of Navigation

Name of Vessel	Nadine	**Call Sign:**	T8A2751
Gross Tonnage	2187	**IMO #:**	8900878

To: United Power Marine International Inc.

Cc: Glow Shipping Line LLC

Re: Restriction of Navigation

Dear Sirs,

This is not advise you that M/V Nadine Imo 8900878 is restricted to navigate within the Gulf Areas (Gulf of Persia) Only

Leslie Mezzich

Leslie Mezzich
Maritime Registrar & Seafarer Director
Palau International Ship Registry

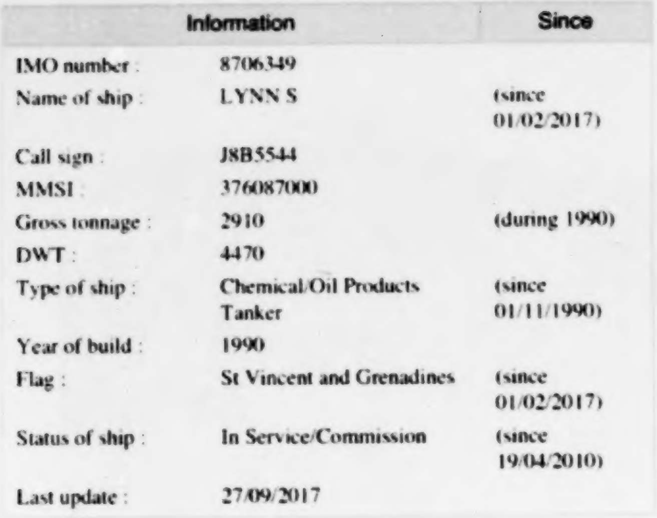
Source: Palau International Ship Registry

8. On 10 February 2018, the tanker arrived to Alang, India, to be dismantled. On 3 April 2018, the tanker was seized by the Indian authorities.

Source: Confidential

Annex 54 Lynn S

1. The details of the vessel are:



Information		Since
IMO number :	8706349	
Name of ship :	LYNN S	(since 01/02/2017)
Call sign :	J8B5544	
MMSI :	376087000	
Gross tonnage :	2910	(during 1990)
DWT :	4470	
Type of ship :	Chemical/Oil Products Tanker	(since 01/11/1990)
Year of build :	1990	
Flag :	St Vincent and Grenadines	(since 01/02/2017)
Status of ship :	In Service/Commission	(since 19/04/2010)
Last update :	27/09/2017	

Source: Equasis

2. The *Lynn S* is operated by "Morgan Navigation Co SA"[16], a subsidiary company of "Alfamarine Shipping Co Ltd"[17], both companies registered in Lebanon. The vessel is owned by "Leen Trade Co", a Liberian registered company.

3. On 27 July 2017, the Chargé d'affairs a.i. of the Permanent Mission of Libya to the UN forwarded an email correspondence dated 26 July 2017 in which the focal point appointed pursuant to resolution 2146 (2014), Dr. Abdallah Ateiga, informed about an illicit ship to ship transfer of the smuggled Libyan gasoil from the "Capricorn" to another tanker, the "Lynn S". On 2 August 2017, the *Lynn S* was added to the sanctions list.

4. According to both the owners and the master of the vessel, the ship-to-ship transfer was never performed, as the *Capricorn* refused to provide any official documents of its cargo.

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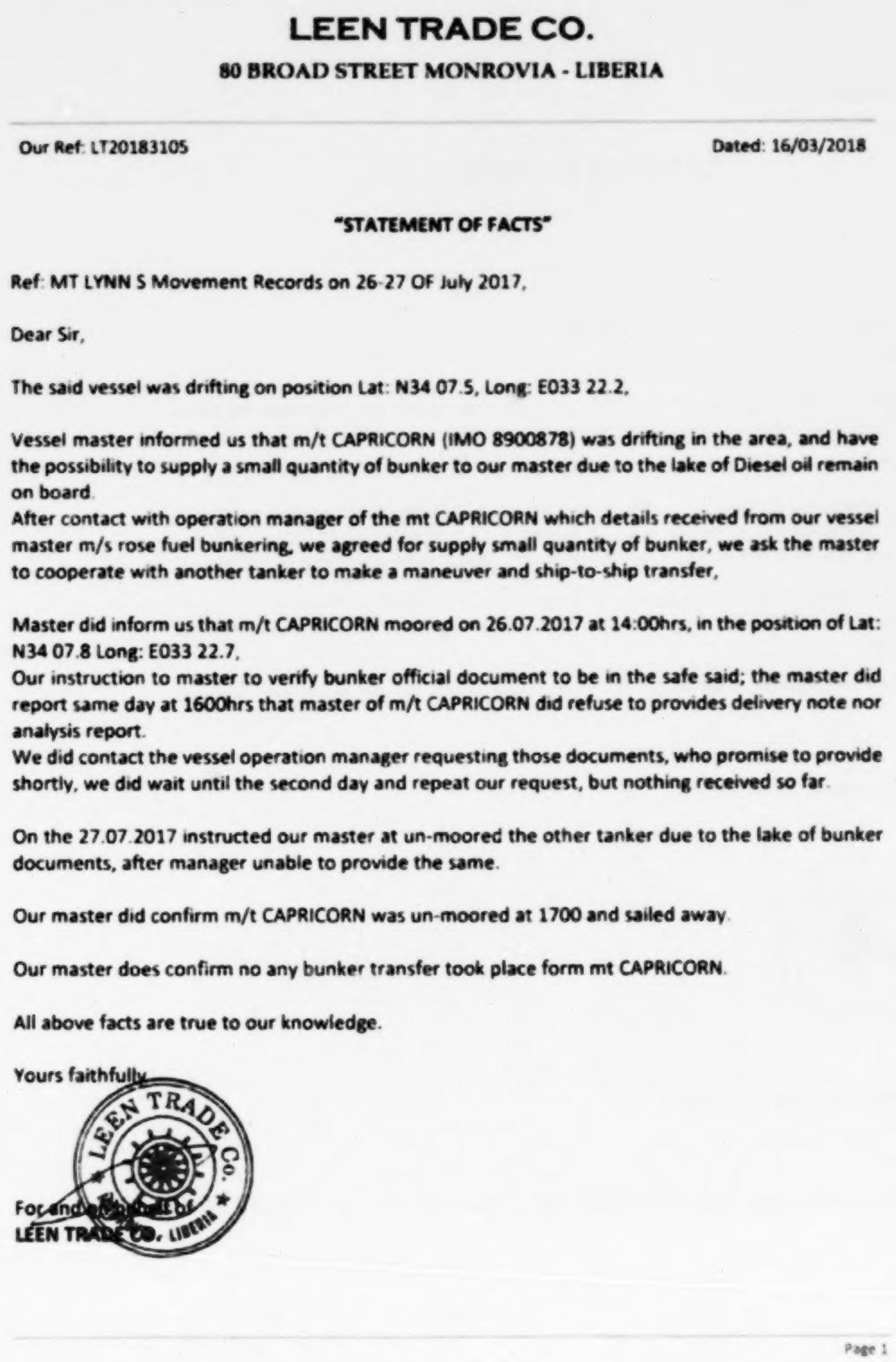
[16] Morgan Navigation Co SA. 7th Floor, Bouri El Marfa Building, Port Street, Beirut, Lebanon. +96170247696, +96170985586, +96170995227. morgan.navigation@gmail.com

[17] Alfamarine Shipping Co Ltd. 1 st Floor, Hamka Building, BP 119720, Labban Street
Beirut, Lebanon. +9611876169. alfamarineshippingcoltd@gmail.com



LEEN TRADE CO.
80 BROAD STREET MONROVIA - LIBERIA

Our Ref: LT20183105

Dated: 16/03/2018

"STATEMENT OF FACTS"

Ref: MT LYNN S Movement Records on 26-27 OF July 2017,

Dear Sir,

The said vessel was drifting on position Lat: N34 07.5, Long: E033 22.2,

Vessel master informed us that m/t CAPRICORN (IMO 8900878) was drifting in the area, and have the possibility to supply a small quantity of bunker to our master due to the lake of Diesel oil remain on board.
After contact with operation manager of the mt CAPRICORN which details received from our vessel master m/s rose fuel bunkering, we agreed for supply small quantity of bunker, we ask the master to cooperate with another tanker to make a maneuver and ship-to-ship transfer,

Master did inform us that m/t CAPRICORN moored on 26.07.2017 at 14:00hrs, in the position of Lat: N34 07.8 Long: E033 22.7,
Our instruction to master to verify bunker official document to be in the safe said; the master did report same day at 1600hrs that master of m/t CAPRICORN did refuse to provides delivery note nor analysis report.
We did contact the vessel operation manager requesting those documents, who promise to provide shortly, we did wait until the second day and repeat our request, but nothing received so far.

On the 27.07.2017 instructed our master at un-moored the other tanker due to the lake of bunker documents, after manager unable to provide the same.

Our master did confirm m/t CAPRICORN was un-moored at 1700 and sailed away.

Our master does confirm no any bunker transfer took place form mt CAPRICORN.

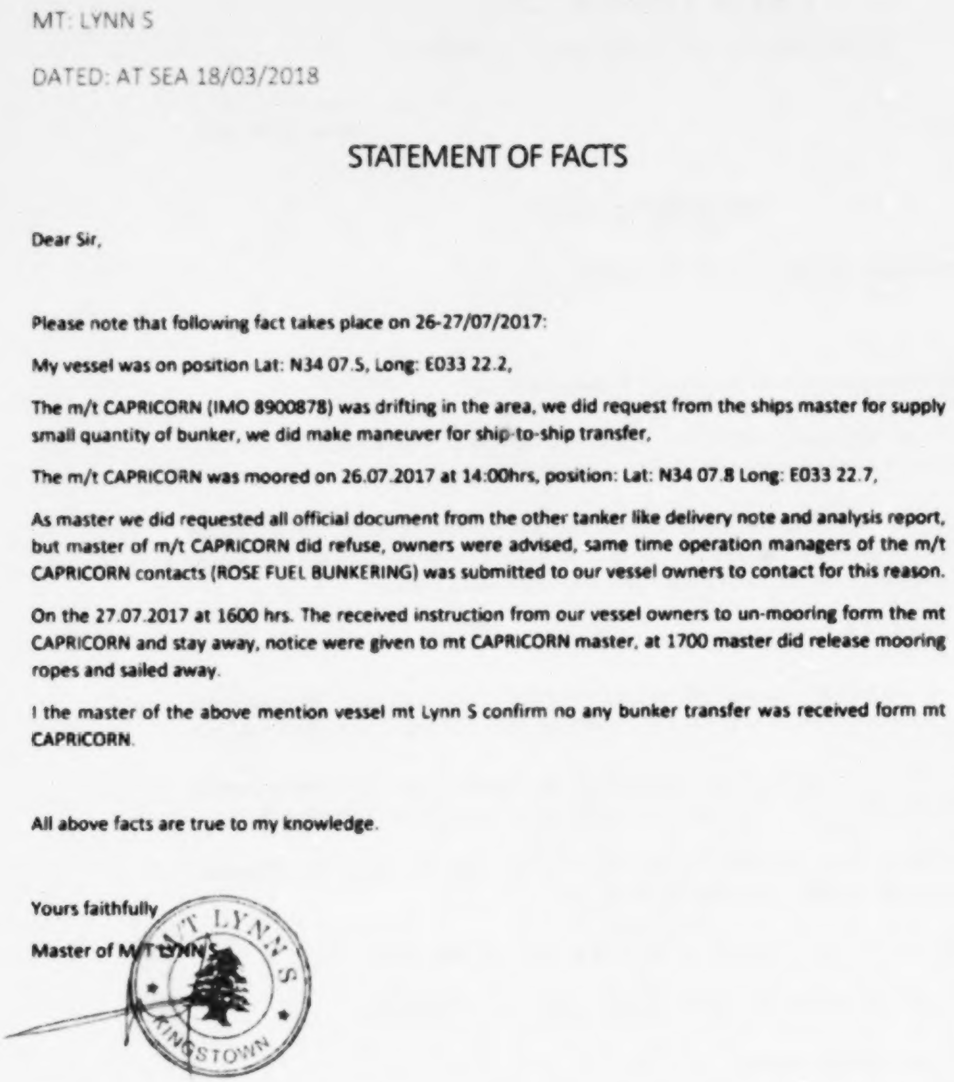
All above facts are true to our knowledge.

Yours faithfully,

For and on behalf of
LEEN TRADE CO.

Page 1

Source: Morgan Navigation Co. S.A.



MT: LYNN S

DATED: AT SEA 18/03/2018

STATEMENT OF FACTS

Dear Sir,

Please note that following fact takes place on 26-27/07/2017:

My vessel was on position Lat: N34 07.5, Long: E033 22.2,

The m/t CAPRICORN (IMO 8900878) was drifting in the area, we did request from the ships master for supply small quantity of bunker, we did make maneuver for ship-to-ship transfer,

The m/t CAPRICORN was moored on 26.07.2017 at 14:00hrs, position: Lat: N34 07.8 Long: E033 22.7,

As master we did requested all official document from the other tanker like delivery note and analysis report, but master of m/t CAPRICORN did refuse, owners were advised, same time operation managers of the m/t CAPRICORN contacts (ROSE FUEL BUNKERING) was submitted to our vessel owners to contact for this reason.

On the 27.07.2017 at 1600 hrs. The received instruction from our vessel owners to un-mooring form the mt CAPRICORN and stay away, notice were given to mt CAPRICORN master, at 1700 master did release mooring ropes and sailed away.

I the master of the above mention vessel mt Lynn S confirm no any bunker transfer was received form mt CAPRICORN.

All above facts are true to my knowledge.

Yours faithfully

Master of M/T LYNN S

Source: Morgan Navigation Co. S.A.

5. The *Lynn S* was removed from the Committee's sanctions list on 29 April 2018.

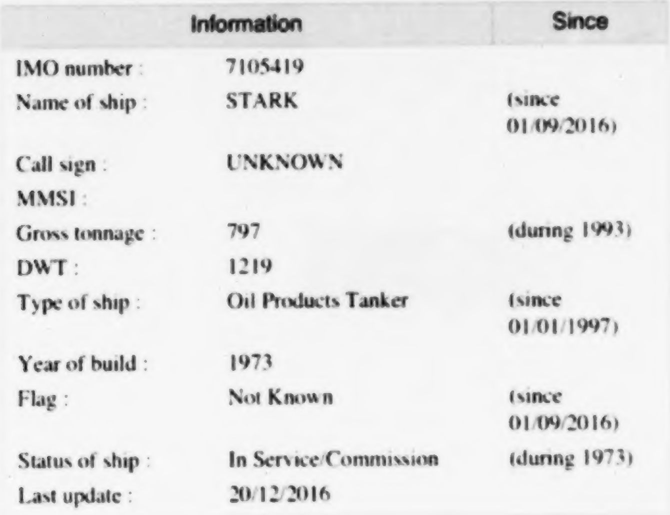
Annex 55 Vessels impounded by the Libyan Coastguard

Stark

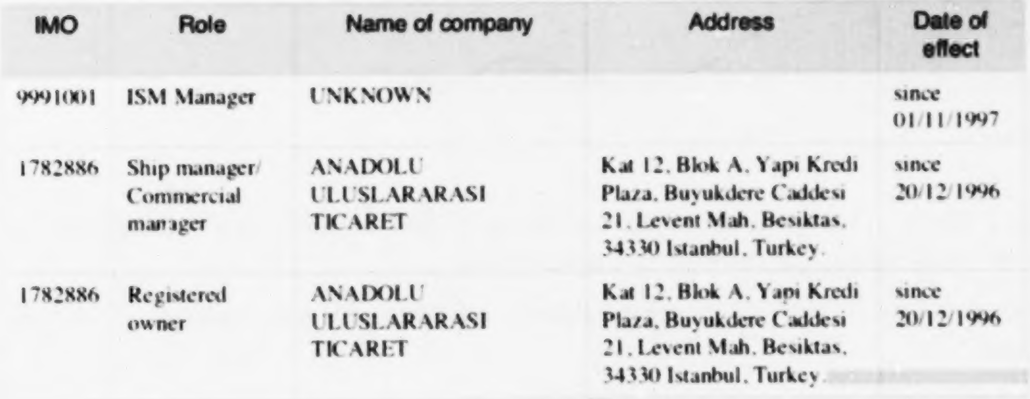
1. The *Stark* (IMO 7105419) was intercepted on 28 April 2017 by the Libyan Coastguard, 1.5 nautical miles off Abu Kammash. The vessel was in the proximity of the *Ruta* at that moment

2. The vessel was loaded with 500.000 litters of diesel oil when it was boarded by the Coastguard. There were six Turkish citizens on board.

3. Anadolu Uluslararasi Ticaret[18] owns the *Stark*.



Information		Since
IMO number :	7105419	
Name of ship :	STARK	(since 01/09/2016)
Call sign :	UNKNOWN	
MMSI :		
Gross tonnage :	797	(during 1993)
DWT :	1219	
Type of ship :	Oil Products Tanker	(since 01/01/1997)
Year of build :	1973	
Flag :	Not Known	(since 01/09/2016)
Status of ship :	In Service/Commission	(during 1973)
Last update :	20/12/2016	



IMO	Role	Name of company	Address	Date of effect
9991001	ISM Manager	UNKNOWN		since 01/11/1997
1782886	Ship manager/ Commercial manager	ANADOLU ULUSLARARASI TICARET	Kat 12, Blok A, Yapi Kredi Plaza, Buyukdere Caddesi 21, Levent Mah, Besiktas, 34330 Istanbul, Turkey.	since 20/12/1996
1782886	Registered owner	ANADOLU ULUSLARARASI TICARET	Kat 12, Blok A, Yapi Kredi Plaza, Buyukdere Caddesi 21, Levent Mah, Besiktas, 34330 Istanbul, Turkey.	since 20/12/1996

Source: Equasis

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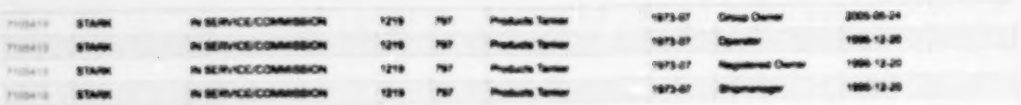
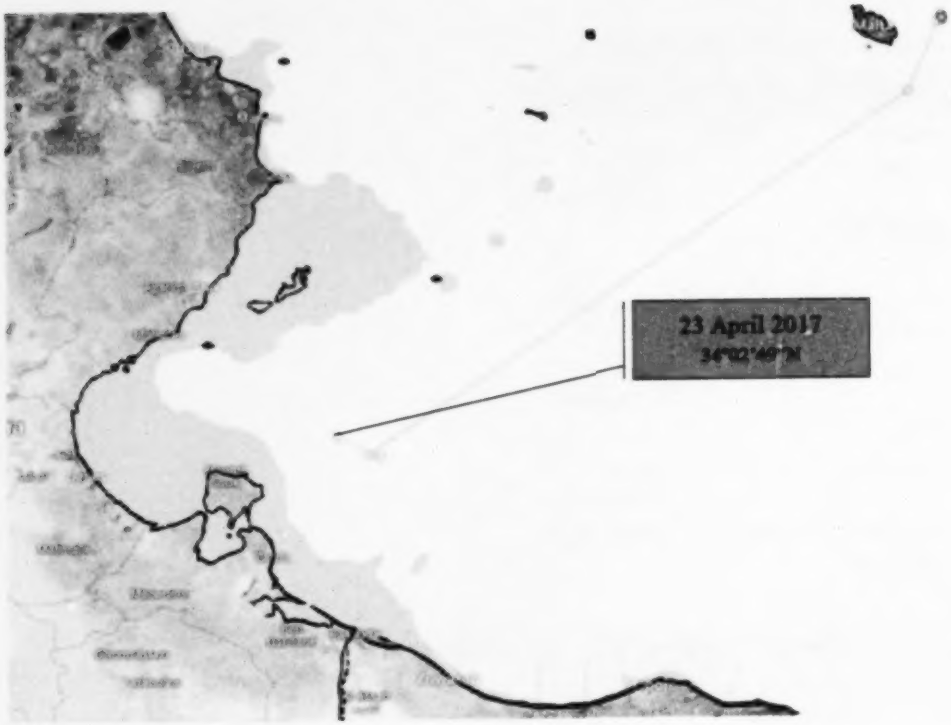
[18] http://www.anadolutr.com



[illegible]	STARK	IN SERVICE/COMMISSION	1219	797	Products Tanker	1973-07	Group Owner	2005-05-24
[illegible]	STARK	IN SERVICE/COMMISSION	1219	797	Products Tanker	1973-07	Operator	1996-12-20
[illegible]	STARK	IN SERVICE/COMMISSION	1219	797	Products Tanker	1973-07	Registered Owner	1996-12-20
[illegible]	STARK	IN SERVICE/COMMISSION	1219	797	Products Tanker	1973-07	Shipmanager	1996-12-20

Source: IHS Sea-web

4. The vessel turned off its AIS on 23 April 2017, 35 nautical miles off Zarzis, Tunisia. In the following days it turned east and headed to the coast of Zuwarah.



23 April 2017
34°02'49"N

Source: IHS Sea-web

Ruta

5. The *Ruta* (IMO 8711899) was intercepted on 28 April 2017 by the Libyan Coastguard, 1.5 nautical miles off Abu Kammash, in the western coast of Libya.

6. The vessel was loaded with 3.000 tonnes of diesel oil. The crew was made up of fourteen Ukrainian citizens.

7. The vessel was in the proximity of the *Stark* at that moment.

8. Manchester Shipping SA[19], a company registered in Ukraine, owns the Ruta.

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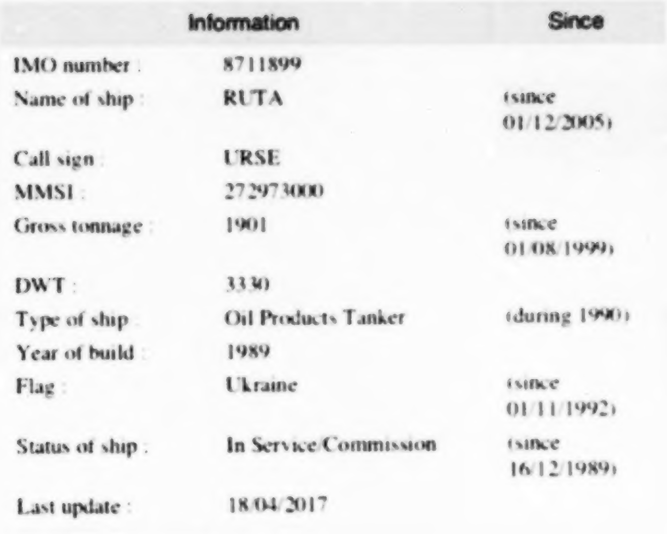
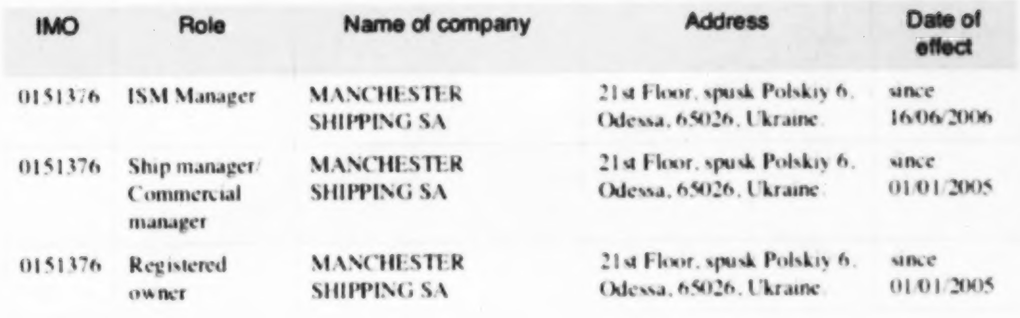
[19] http://www.man-ship.com (website under construction).

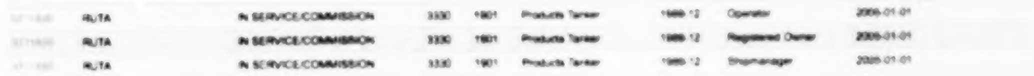


Information		Since
IMO number :	8711899	
Name of ship :	RUTA	(since 01/12/2005)
Call sign :	URSE	
MMSI :	272973000	
Gross tonnage :	1901	(since 01/08/1999)
DWT :	3330	
Type of ship :	Oil Products Tanker	(during 1990)
Year of build :	1989	
Flag :	Ukraine	(since 01/11/1992)
Status of ship :	In Service/Commission	(since 16/12/1989)
Last update :	18/04/2017	



IMO	Role	Name of company	Address	Date of effect
0151376	ISM Manager	MANCHESTER SHIPPING SA	21st Floor, spusk Polskiy 6, Odessa, 65026, Ukraine.	since 16/06/2006
0151376	Ship manager/ Commercial manager	MANCHESTER SHIPPING SA	21st Floor, spusk Polskiy 6, Odessa, 65026, Ukraine.	since 01/01/2005
0151376	Registered owner	MANCHESTER SHIPPING SA	21st Floor, spusk Polskiy 6, Odessa, 65026, Ukraine.	since 01/01/2005

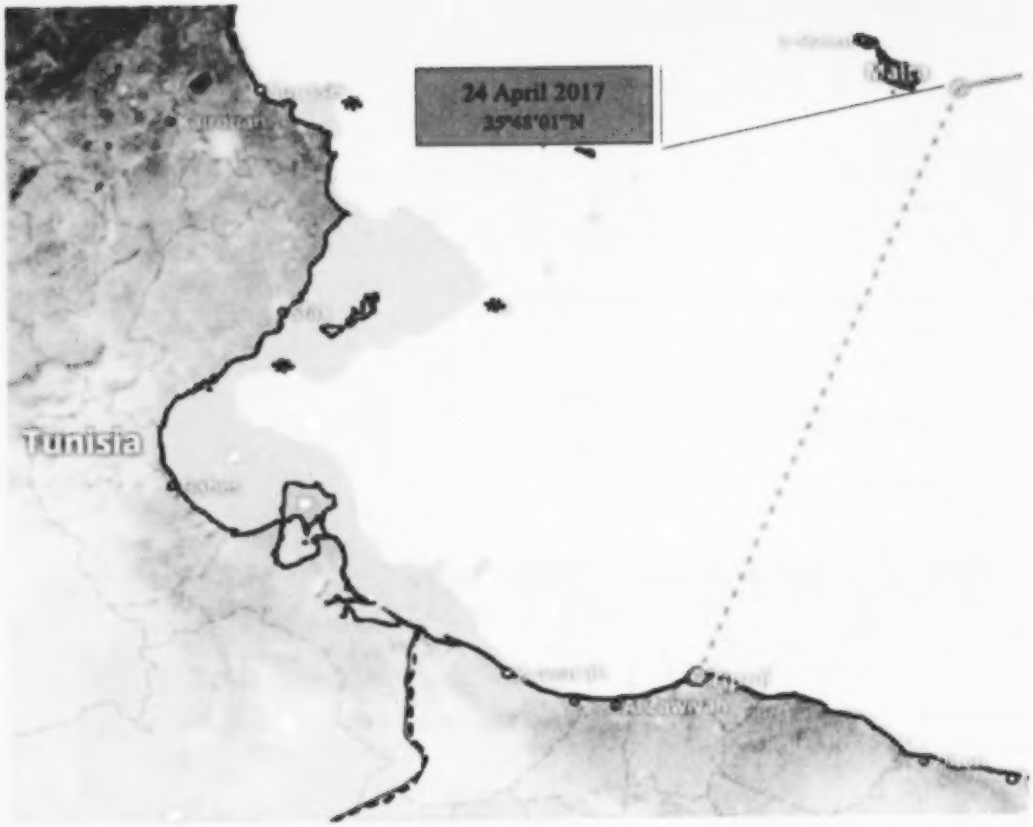
Source: Equasis



[illegible]	RUTA	IN SERVICE/COMMISSION	3330	1901	Products Tanker	1989-12	Operator	2005-01-01
[illegible]	RUTA	IN SERVICE/COMMISSION	3330	1901	Products Tanker	1989-12	Registered Owner	2005-01-01
[illegible]	RUTA	IN SERVICE/COMMISSION	3330	1901	Products Tanker	1989-12	Shipmanager	2005-01-01

Source: IHS Sea-web

9. The vessel turned off its AIS on 23 April 2017, 11 nautical miles off Malta.



Source: IHS Sea-web

10. According to the investigations conducted by the Prosecutor of Catania, Italy, the *Ruta* has been involved in ship to ship operations with vessels involved in illicit smuggling of fuel from Libya, particularly the Basbosa Star (IMO 8846838) and the Sea Master X (IMO 7332488), both connected to Fahmi Slim's smuggling network (see S/2016/209 para. 206), and has reportedly unloaded the smuggled fuel in Italian ports on 13 occasions.[20]

Rex/Amargi

11. The *Rex* (IMO 7105421) was intercepted on 29 August 2017 by the Libyan Coastguard and taken to Tripoli.

12. The vessel was loaded with 1.000 tonnes of diesel oil. The crew was made up of 10 individuals of various nationalities.

13. Ilu Trade and Shipping INC[21], a company registered in Turkey, is the owner of the *Rex*, formerly called "Amargi".

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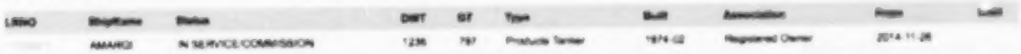
[20] Case number 19269/2014 R.G.N.R., pages 6 to 9.

[21] http://www.man-ship.com (website under construction).

Information		Since
IMO number :	7105421	
Name of ship :	AMARGI	(since 01/11/2014)
Call sign :	UNKNOWN	
MMSI :		
Gross tonnage :	797	(during 1993)
DWT :	1236	
Type of ship :	Oil Products Tanker	(since 01/10/1999)
Year of build :	1974	
Flag :	In Dispute	(since 01/05/2016)
Status of ship :	In Service/Commission	(since 19/02/1974)
Last update :	25/07/2017	

IMO	Role	Name of company	Address	Date of effect
5829829	Ship manager/ Commercial manager	SABOR INVEST LTD	Daire 14, Kat 8, Blok B1, Agaoglu My World Europe, Ayazma Mevkii, Altinsehir Yanyol, Basaksehir, 34490 Istanbul, Turkey.	since 26/11/2014
5828953	Registered owner	ILU TRADE & SHIPPING INC	Care of Sabor Invest Ltd , Daire 14, Kat 8, Blok B1, Agaoglu My World Europe, Ayazma Mevkii, Altinsehir Yanyol, Basaksehir, 34490 Istanbul, Turkey.	since 26/11/2014
9991001	ISM Manager	UNKNOWN		since 01/11/1997

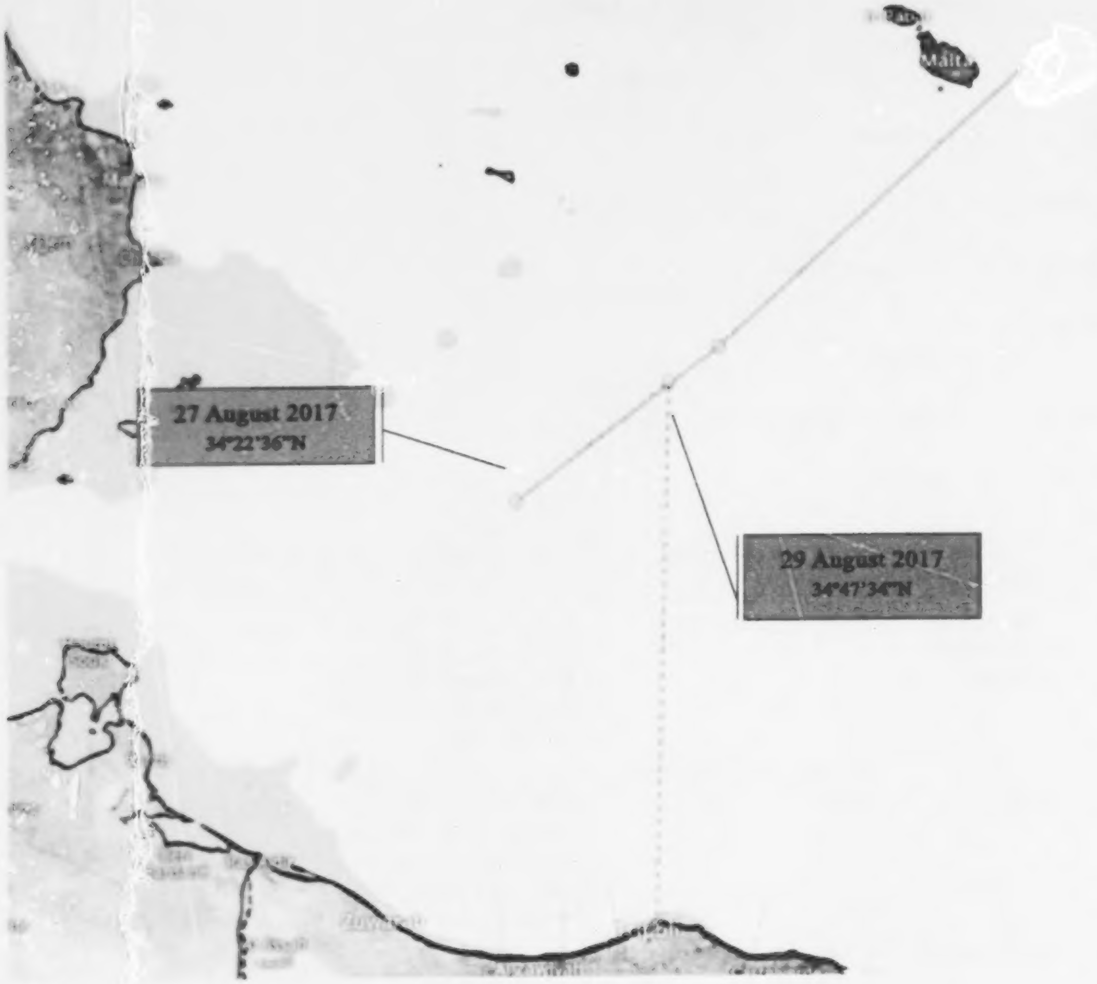
Source: Equasis



LRNO	ShipName	Status	DWT	GT	Type	Built	Association	From	Until
	AMARGI	IN SERVICE/COMMISSION	1236	797	Products Tanker	1974-02	Registered Owner	2014-11-26	

Source: IHS Sea-web

14. The vessel turned off its AIS between 27 and 29 August 2017, 92 nautical miles off Zuwara.



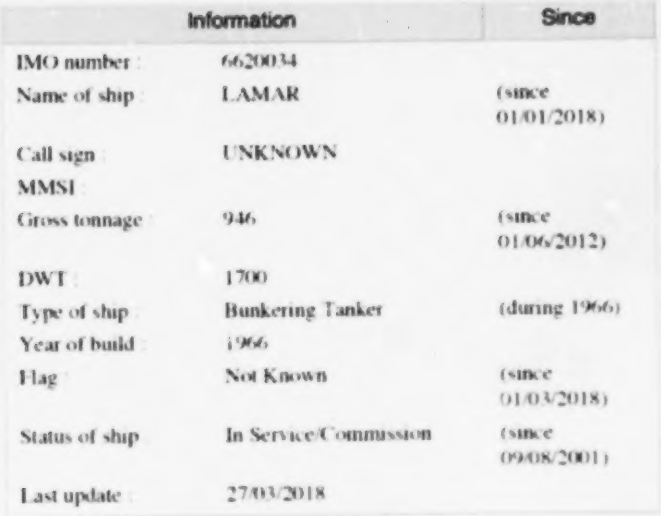
Source: IHS Sea-web

Lamar

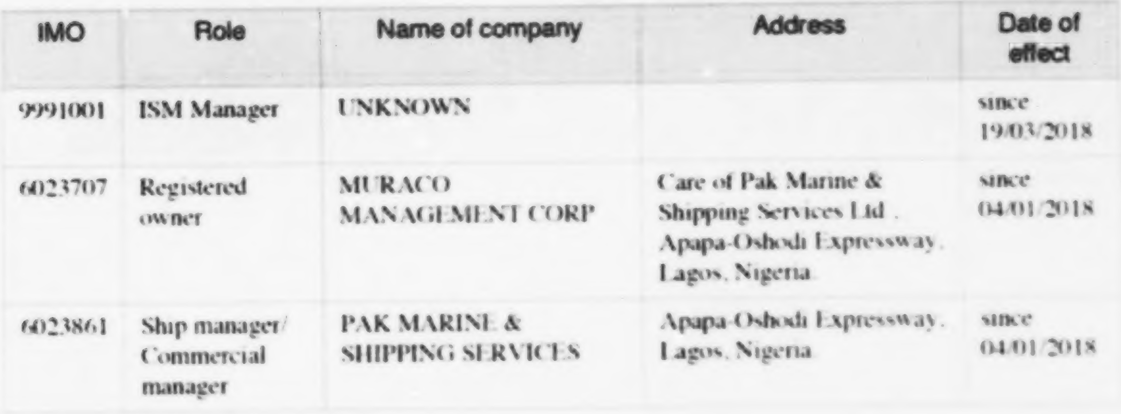
15. The *Lamar* (IMO 6620034) was intercepted on 15 March 2018 by the Libyan Coastguard when in front of the coast of Abu Kammash.

16. The tanker was loaded with 950.000 litres of fuel when intercepted. It was further directed to Tripoli. The crew was made up of 8 Greek citizens.

17. Murzco Management Corp, a company registered in Nigeria, is the owner of *Lamar*.



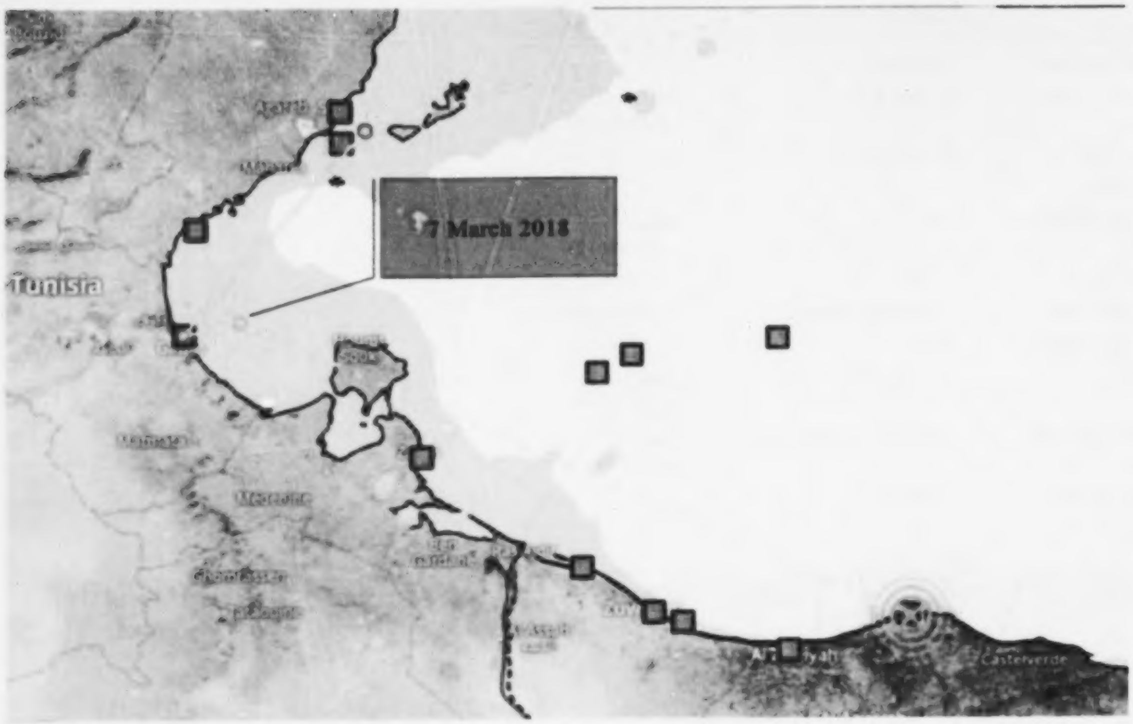
Information		Since
IMO number :	6620034	
Name of ship :	LAMAR	(since 01/01/2018)
Call sign :	UNKNOWN	
MMSI :		
Gross tonnage :	946	(since 01/06/2012)
DWT :	1700	
Type of ship :	Bunkering Tanker	(during 1966)
Year of build :	1966	
Flag :	Not Known	(since 01/03/2018)
Status of ship :	In Service/Commission	(since 09/08/2001)
Last update :	27/03/2018	



IMO	Role	Name of company	Address	Date of effect
9991001	ISM Manager	UNKNOWN		since 19/03/2018
6023707	Registered owner	MURACO MANAGEMENT CORP	Care of Pak Marine & Shipping Services Ltd , Apapa-Oshodi Expressway, Lagos, Nigeria.	since 04/01/2018
6023861	Ship manager/ Commercial manager	PAK MARINE & SHIPPING SERVICES	Apapa-Oshodi Expressway, Lagos, Nigeria.	since 04/01/2018

Source: Equasis

18. The vessel turned off its AIS between on 7 March 2018, outside Tunisian territorial waters, while heading east to Zuwarah – Abu Kammash area.



Source: IHS Sea-web

Annex 56 Goeast

1. The Libyan Coastguard opened fire on the *Goeast* (IMO 7526924) on 6 October 2017. Its AIS was disconnected at the time.

2. Arida Trade LLP, Care of Uvas-Trans Ltd, is the registered owner of the *Goeast*.

Information		Since
IMO number :	7526924	
Name of ship :	GOEAST	(since 01/03/2015)
Call sign :	D6A2091	
MMSI :	620091000	
Gross tonnage :	7886	(since 01/08/2000)
DWT :	9657	
Type of ship :	Oil Products Tanker	(during 1977)
Year of build :	1977	
Flag :	Comoros	(since 01/04/2016)
Status of ship :	In Service/Commission	(since 19/10/2017)
Last update :	07/11/2017	

Source: Equasis

IMO	Role	Name of company	Address	Date of effect
5603801	Ship manager/ Commercial manager	UVAS-TRANS LTD	ul Sverdlova 49, Kerch, Krym, 98320, Ukraine.	since 20/02/2016
5603801	ISM Manager	UVAS-TRANS LTD	ul Sverdlova 49, Kerch, Krym, 98320, Ukraine.	since 20/02/2016
5633861	Registered owner	ARIDA TRADE LLP	Care of Uvas-Trans Ltd , ul Sverdlova 49, Kerch, Krym, 98320, Ukraine.	before 03/2015

Source: Equasis

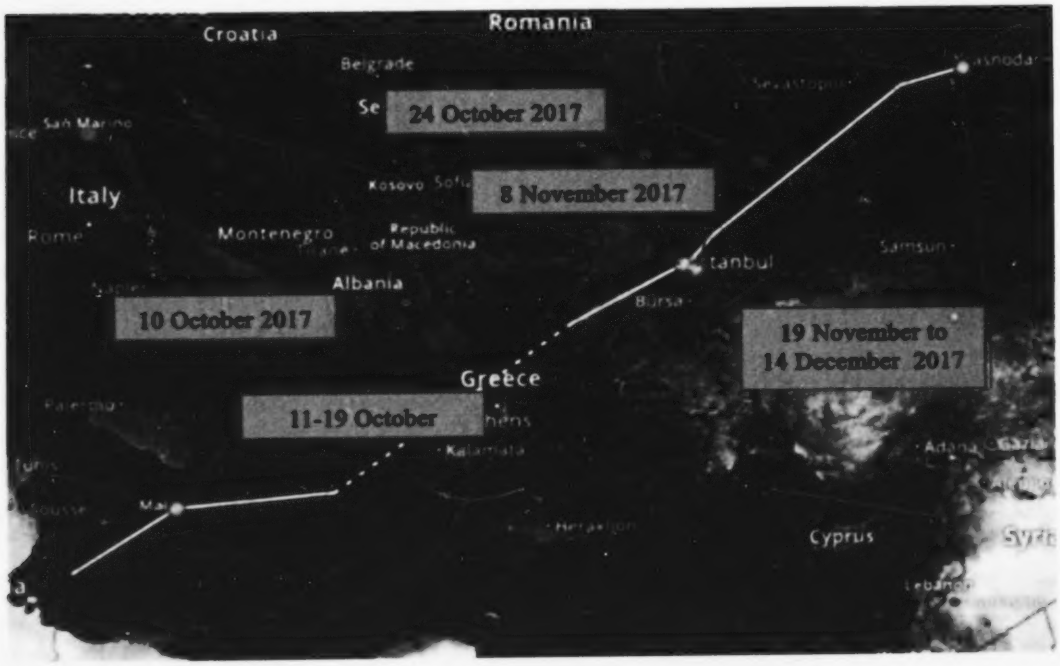
Source: IHS Sea-web

3. Following the incident, the tanker headed north to Malta, off Valetta port, outside its territorial waters, where it remained adrift between 11 and 19 October 2017. According to Maltese authorities, no request was made by the *Goeast* to enter any port.

4. On 19 October 2017, the vessel set sail to the Sea of Crete and disconnected its AIS on 20 October. On 22 October it briefly reconnected its AIS before crossing the Dardanelles strait.

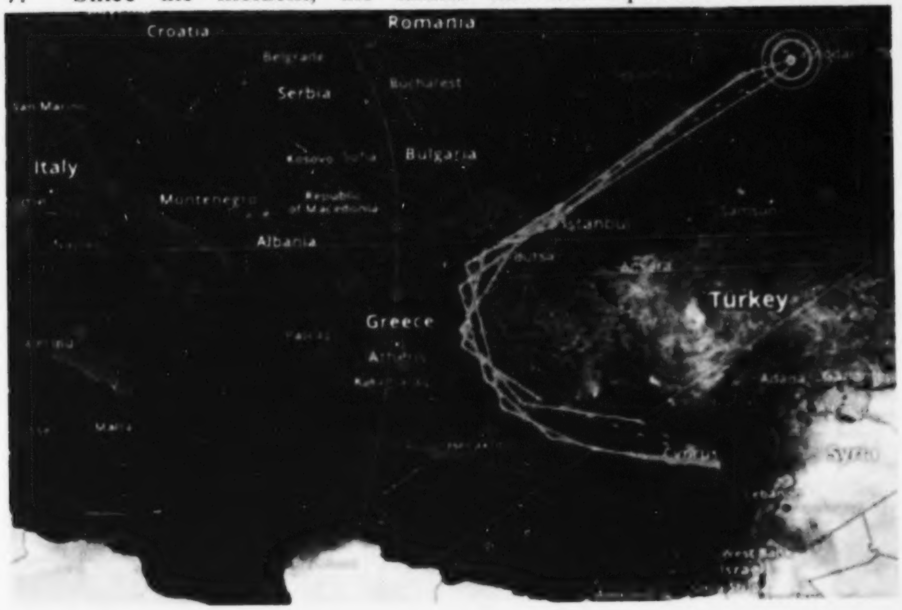
5. On 24 October 2017 it arrived at Ahirkapi anchorage area (near Istanbul), where it was granted anchorage permission, according to the Turkish authorities. They further stated that a gas purification process for maintenance purposes was conducted. On 1 November 2017, the tanker was granted entry to Tuzla port where it remained until 8 November 2017.

6. On 10 November 2017 it crossed the Bosporus and between 19 November and 14 December 2017 remained a few miles east of the Traffic Separation Scheme of Kerch strait, Crimea. Its AIS was disconnected on several occasions.



Source: IHS Sea-web

7. Since the incident, the tanker has not operated in the central Mediterranean area.

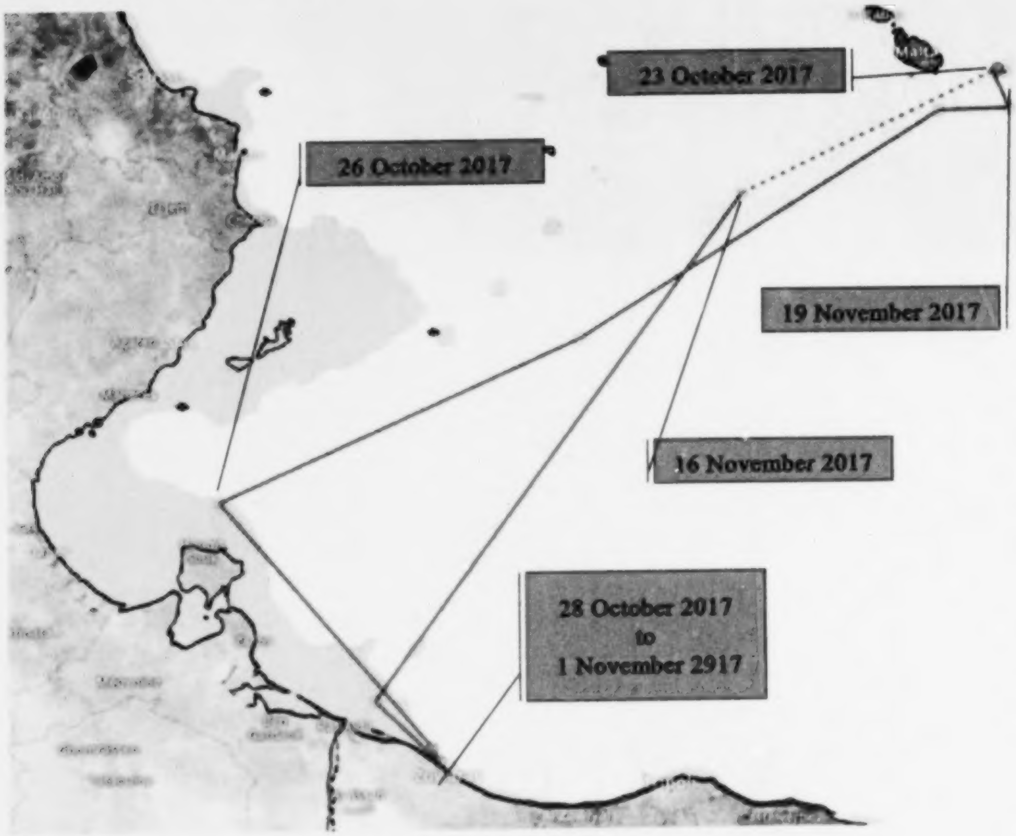


Source: IHS Sea-web

Annex 57 Noor

1. The *Noor* (IMO 8312459) set sail off Malta on 23 October 2017, heading towards Gabes port, Tunisia. On 26 October 2017, 41 nautical miles off Gabes port, it turned east to Zuwarah coast, where it remained anchored in 2 different locations between 28 October 2017 and 1 November 2017. The vessel disconnected its AIS on 16 November 2017, while on its way back to a point off Malta, where it arrived on 19 November 2017.

2. It is relevant to mention that the *Noor* set sail from and arrived to the same location off Malta, outside its territorial waters.



Source: IHS Sea-web

3. According to Equasis, Ali Breiki SMA, care of United Maritime Services LTD, is the registered owner of the *Noor*.

Information		Since
IMO number :	8312459	
Name of ship :	NOOR	(since 01/09/2011)
Call sign :	5IM459	
MMSI :	677001030	
Gross tonnage :	2101	(during 2000)
DWT :	3270	
Type of ship :	Oil Products Tanker	(during 1983)
Year of build :	1983	
Flag :	Tanzania	(before 2016)
Status of ship :	In Service/Commission	(since 18/11/1983)
Last update :	20/12/2016	

IMO	Role	Name of company	Address	Date of effect
5949211	Ship manager/ Commercial manager	UNITED MARITIME SERVICES LTD	Flat 9, Anderson House, 2, Butt Close Lane, Leicester, LE1 4QA, United Kingdom.	since 01/11/2016
5951521	Registered owner	AL BREIKI SMA	Care of United Maritime Services Ltd , Flat 9, Anderson House, 2, Butt Close Lane, Leicester, LE1 4QA, United Kingdom.	since 01/11/2016
9991001	ISM Manager	UNKNOWN		since 09/11/2012

Source: Equasis

4. According to the information provided by Mr Iftikhar Rafique, from United Maritime Services LTD, the vessel was sold for scrap in November 2016, however no proof of scrap or any other documents were made available. The new owners are unknown.

5. The vessel was broken up in January 2018 in Aliaga, Turkey.

Date	Significant Events
201801	Status changed to Broken Up, Broken Up by Soylu Gemi Geri Donusum of Aliaga in Turkey

Source: IHS Sea-web

Annex 58 Legal disputes involving the Libyan Investment Authority

1. There are several disputes over authority, both in Libya and in other countries.

2. In Libya, Abdulmagid Breish, former Chairman of LIA, challenged Presidency Council decree No. 115 of 2016 establishing the Steering Committee. The Supreme Court of Libya nullified the decree. The Presidency Council then issued decree No. 29 of 2017 to establish an Interim Management Committee, headed by Ali Mahmoud Hassan. Thereafter, it also formed a Board of Trustees, which appointed a Board of Directors, the latter headed by Ali Mahmoud Hassan.

3. The following are the relevant decisions:

   a. Resolution of the Council of Ministers/Government of National Accord No. 12 of 2017 for the formation of the Board of Trustees of the LIA dated 23 May 2017.

   b. Resolution of the Board of Trustees No. 1 of 2017 for nominating the Board of Directors of the LIA dated 15 July 2017.

4. Ali Mahmoud Hassan has stated to the Panel that he works both in Malta and Tripoli, a change from the earlier situation when the two offices had separate heads. He is also the Chairman of the Malta office which is a subsidiary – LIA Advisory LTD.

5. Mr. Breish informed the Panel that the legal disputes persisted. His appeal on decree No. 29 of 2017 was combined with his appeal against the formation of a Board of Trustees and Board of Directors. According to him, the Tripoli Administrative Court held the first hearing on 31 October 2017. There is no final decision yet.

6. In another development, the eastern-based Interim Government filed an appeal with the Benghazi Administrative Court, Second Administrative Chamber, against the decision of the Presidency Council to form a new Board of Trustees. This appeal was filed by the Prime Minister of the Libyan Interim Government and 3 others, all stated to represent the Board of Trustees of the LIA, and was against Presidency Council Decision No.12 of 2017, issued on 25 May 2017, on the formation of the Board of Trustees of the LIA. The grounds of appeal were that this decision was made by ministers under the GNA which did not gain the confidence of the House of Representatives (HoR) and therefore was defective and contrary to Law No. 13 of 2010.

7. On 26 October 2017, the Benghazi Court held that the decision for formation of the Board of Trustees is in violation of the law, considering that the GNA did not gain the confidence of the HoR, the president and ministers did not take oath and the GNA did not fulfil its establishment constitutionally. It also took into consideration that the control, by an illegal Board of Trustees, of the accounts and funds of the institution could lead to waste of public funds and tampering of financial assets of the institution abroad.

8. The Presidency Council appealed against this judgement, along with an application for stay. On 24 January 2018 the Administrative Justice Chamber of the Supreme Court stayed the execution of the judgement until consideration of the appeal application.

9. Similarly, the Benghazi Court also ruled against the Board of Trustees' Resolution 1 of 2017 (277/2017). The Presidency Council appealed against this judgement, along with an application for stay. On 22 March 2018 the Administrative Justice Chamber of the Supreme Court stayed the execution of the judgement until consideration of the appeal application. No further update of the current status is available in these two cases.

10. This was discussed with the CEO of LIA in April 2018. He claimed that the controversy over the appointment of the Chair in July 2017 is resolved. He further asserted that all banks and Libyan and external institutions deal with the current Board of Directors.

11. Nevertheless, it appears that the matter of legality of the formation and functioning of the Board of Trustees and, consequently, that of the Board of Directors is still *sub judice* in Libya. Reporting of the above sequence of events and ongoing judicial disputes is to illustrate the uncertainty surrounding the legal authority of the current management of the LIA, under Libyan law.

12. Disputes regarding the control of LIA are not recent, as is seen from several cases in other jurisdictions, and have had consequences.

13. A case filed by Hassan Bouhadi in the Commercial Court in London is further evidence of the confusion that surrounds the governance of the Libyan Investment Authority. The case concerned the doubts about who had the authority to give instructions in the legal proceedings of the Libyan Investment Authority against Goldman Sachs Ltd and Société Générale.

14. On 17 March 2016, the Commercial Court adjourned consideration of the case because the Presidency Council failed to clarify and inform the Government of the United Kingdom of Great Britain and Northern Ireland on the leadership of the Libyan Investment Authority. The Panel notes that, despite the formation of a new Board of Trustees and Board of Directors, the Presidency Council has not reverted with the required clarifications.

15. Due to the dispute of authority, the law firm appointed in the UK could not receive proper instructions in several ongoing litigations and it withdrew. This led to the appointment of the receiver in July 2015. This dispute was also referred to in the judgement passed in the Goldman Sachs case.[22]

16. The receiver explained that the court order of appointment requires him to act in accordance with sanctions and that he has notified the Treasury and OFSI officials how it is determined whether the amounts received are sanctioned. This was with reference to the settlement amount received from a French bank, and some other smaller cases. There is a separate fund, not under the assets freeze, which is used for fighting legal cases. The receiver has sole and exclusive power to handle legal action, but

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[22] https://www.judiciary.uk/wp-content/uploads/2016/10/lia-v-goldman.pdf
14 October 2016

adopts a consultative approach. Written reports are submitted to the various Chairmen on legal actions and on accounting and every piece of correspondence is shared with them.

17. A case in the Netherlands concerning a dispute between LIA and an investment manager has also referred to the authority dispute.

18. Several legal proceedings linked to disputes over authority and previous financial dealings also contribute to high expenses for the designated entities.

19. The assets of the Libyan Investment Authority are also at risk because of several attachment orders in countries where these assets are located. There were claims by several companies against the Libyan government for breach of contract. Having been awarded favourable judgements, these companies proceeded to get orders to attach the funds of the Authority. In certain cases, the LIA was not even a party to the proceedings. While in some cases, the LIA has succeeded in getting these attachments set aside, in others the litigation is still pending. Such situations also pose a risk to the funds which are frozen under UN sanctions.

20. The LIA Board of Directors (which is appointed by the Board of Trustees) appoints the Board of Directors of the subsidiaries. In November 2017, the current Board of Directors of the Libyan Investment Authority declared changes in the management of subsidiaries. This generated discontent with the head of the HoR, Aguila Saleh, pronouncing that the decisions are invalid. Ali al-Qatrani, member of the Presidency Council, in his communication dated 12 December 2017, has contested the legality of Presidency Council decision No. 1253 of 2017, which authorizes the Authority, in exceptional circumstances, to amend the structure of the Board of Directors of its subsidiaries.

21. Legitimacy of these appointments is a concern for several interlocutors, their understanding being that the GNA has not been validated by the HoR. Hence, appointments made by the former suffer a legal infirmity which could be used by third parties to the detriment of the subsidiaries. The financial regulators in different countries also require to recognise the various Boards of Directors, particularly if they have to be represented on the boards of subsidiaries in different countries.

Annex 59 Designated individuals

1. In accordance with its methodology, and to give an opportunity to the designated individuals to submit their arguments, the Panel met two designated individuals and the representatives of two others.

Safia Farkash al-Barassi (LYi.019)

2. The Panel met Safia Farkash on 23 May 2018. The following is the summary of the interview notes:

3. Safia Farkash is currently based in Cairo. She arrived in Egypt at the end of February 2015. She has a residency permit in Egypt, renewable every three months, and sometimes monthly.

4. She asked what she could expect from this visit. She has represented to the Security Council but this has yielded no result and her travel continues to be restricted. She informed the Panel that she had previously asked for visas for Jordan and Germany but was refused. She now wanted to go to Austria. She is unwell and requires ongoing treatment. She would also like to visit her daughter, Aisha, in Oman but is unable to do so in view of the restrictions. The Panel explained that designated individuals are entitled to get exemption from the travel ban on various grounds and also explained the procedure for doing so.

5. She has not applied for delisting but will do so. This procedure was also explained.

6. Mrs. Farkash expressed grief that 3 of her children and her husband are dead. She has always been a housewife. Though accused of having money outside and a political role, she has nothing. She explained that this house belongs to the family. Other family members also explained that the family gathered money and bought the house.

7. In Oman, she received no financial aid as she did not ask for it. In Egypt also, she is not receiving any but she is treated well.

8. In a subsequent written communication, her consultant urged that her delisting request be examined "from a humanitarian prospect rather than a political or countries of influence disagreements." It was further emphasised that both Safia Farkash and her daughter Aisha Qadhafi have no political activity or interest and their travel will never cause any harm. They did not hold any official governmental position nor, they claim, is there any evidence that they were part of any unrest or have ever been involved in any illegal or inhumane activity. Adding the names for being a spouse and daughter of Colonel Muammar Qadhafi appears unfair to them and does not, according to them, correspond to humanitarian concepts and principles.

9. The Panel has asked for further details including a copy of the Egyptian residency permit.

Sayyid Mohammed Qadhaf Al Dam (LYi.003)

10. The Panel met the individual in Cairo on 22 May 2018. His brother, Ahmed Qadhaf al Dam facilitated the meeting. He has been living there since 2016, and his requests for exemption from the travel ban are renewed. He lives in an apartment, owned by his brother Ali, who was present, though not participating in the discussions.

11. Sayyid Qadhaf Al Dam was lying in a hospital bed. He can move his legs but is unable to walk, neither to sit for long periods. He explained that he had an old back injury.

12. He recalled his detention period in Misrata, the lack of proper medical attention he received, and how he managed to leave the prison, once acquitted, and move to Egypt.

13. He confirmed that he has no residency permit. He has neither money nor accounts inside or outside Libya.

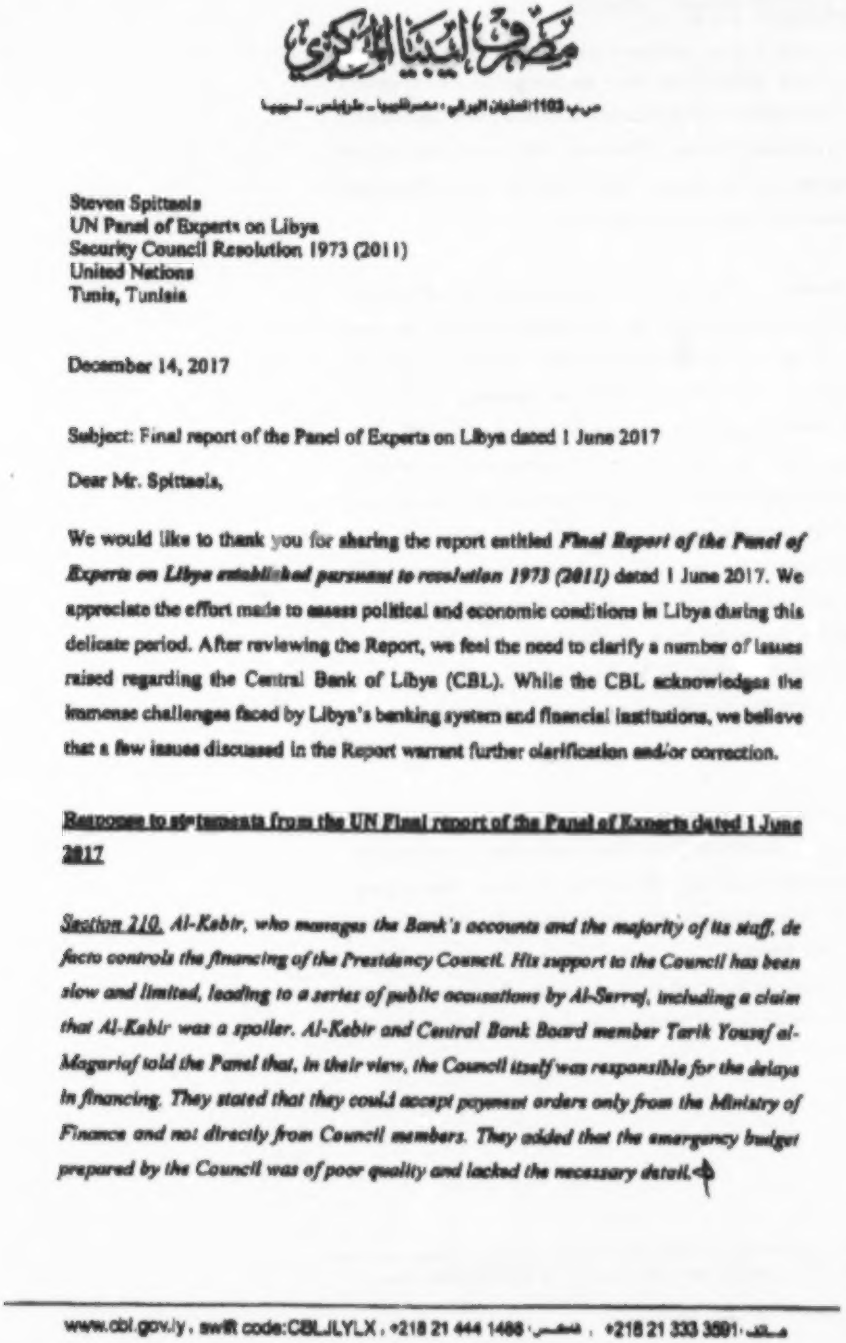
Abdullah Al-Senussi (LYi.018)

14. He is purportedly in custody in Tripoli. Reliable sources informed the Panel that there are concerns regarding regular access to him and his health conditions.

Saif al-Islam Qadhafi (LYi.017)

15. The Panel met his lawyer. He confirmed that Saif al-Islam is in Zintan and now has freedom of movement there. He mentioned that Saif was arrested on 19 November 2011 and the judgement was passed in July 2015. He was sentenced to death in absentia. Since due process was not followed in the conduct of the trial, he would be eligible for a re-trial. At the same time, he said that Saif al-Islam was free, by virtue of Law no. 6 of 2015 (grant of amnesty). He claimed that the national courts take precedence over the ICC and that the latter cannot try him now that he has been given amnesty.

Annex 60 Response by CBL on previous report



مصرف ليبيا المركزي

ص.ب 1103 العنوان البرقي : مصرف ليبيا - طرابلس - ليبيا

Steven Spittaels
UN Panel of Experts on Libya
Security Council Resolution 1973 (2011)
United Nations
Tunis, Tunisia

December 14, 2017

Subject: Final report of the Panel of Experts on Libya dated 1 June 2017

Dear Mr. Spittaels,

We would like to thank you for sharing the report entitled ***Final Report of the Panel of Experts on Libya established pursuant to resolution 1973 (2011)*** dated 1 June 2017. We appreciate the effort made to assess political and economic conditions in Libya during this delicate period. After reviewing the Report, we feel the need to clarify a number of issues raised regarding the Central Bank of Libya (CBL). While the CBL acknowledges the immense challenges faced by Libya's banking system and financial institutions, we believe that a few issues discussed in the Report warrant further clarification and/or correction.

Response to statements from the UN Final report of the Panel of Experts dated 1 June 2017

Section 210. Al-Kabir, who manages the Bank's accounts and the majority of its staff, de facto controls the financing of the Presidency Council. His support to the Council has been slow and limited, leading to a series of public accusations by Al-Serraj, including a claim that Al-Kabir was a spoiler. Al-Kabir and Central Bank Board member Tarik Yousef al-Magariaf told the Panel that, in their view, the Council itself was responsible for the delays in financing. They stated that they could accept payment orders only from the Ministry of Finance and not directly from Council members. They added that the emergency budget prepared by the Council was of poor quality and lacked the necessary detail.

مصرف ليبيا المركزي

ص.ب 1103 العنوان البرقي : مصرفليبيا – طرابلس – ليبيا

Throughout his tenure, Governor Al-Kebir has been the internationally recognized manager of the CBL. The Government of National Accord and its Presidency Council (PC) recognized him as such upon their establishment in December 2015 and so did the High Council of State and the Presidency of the House of Representatives. He has discharged his responsibilities in accordance with laws governing the CBL.

Mr. Al-Serraj's claim that Governor Al-Kebir is a spoiler has no factual basis. If anything, the support extended by the CBL to Mr. Al-Serraj and the Presidency Council has been consistent and timely. Upon his arrival in Tripoli in March 2016, Al-Kebir was the first person to meet with Al-Serraj and affirm his commitment to supporting the PC. The attached letter from Al-Kebir dated 4th April 2016, reflected the position of the CBL vis-à-vis the PC from the beginning. In fact, the CBL has gone out its way to advise and assist Al-Serraj and the PC on how to follow basic and required government processes and procedures in order discharge instructions for payment to the CBL. It is in this regard where the PC had failed in the initial phase of their mandate, causing confusion to what should have been a smooth working relationship between the CBL and Ministry of Finance. The unnecessary bottlenecks created in the system due to limited experience of PC members ultimately triggered the organization of meetings by the international community in London and Rome in 2016 to streamline processes and ensure the timely preparation of a budget for 2017.

__Section 213.__ First, following persistent complaints of insufficient cash deliveries from Tripoli (see S/2016/209, para. 219), the eastern Central Bank had its own money printed. The notes were printed by a separate company, different from the usual Central Bank provider. Although a clear effort was made to produce nearly identical notes, important differences remain (see annex 56). Because it was facing its own cash shortage in the capital, the Presidency Council approved its circulation and, thereby, the eastern Central Bank's initiative. However, the western Central Bank has blocked its distribution in the capital.

The CBL has opposed the circulation of the Russian printed banknotes from the beginning in line with the advice received from the international community and international financial institutions. Having two currencies in a country issued by two separate monetary authorities is detrimental to the economy. It causes confusion, undermines confidence and increases the likelihood of counterfeiting. The CBL in conjunction with the official contractor for Libyan banknotes DeLaRue hired an independent third party to complete an analysis of the LYD 20 and LYD 50 notes in March 2015. The third party analysis indicated that the Russian currency lacked up to 40% of the security features of the official banknotes, which are among the most secure notes in the world.

Section 214. *Second, eastern administrators claimed to the Panel that a significant percentage of salaries in the east had not been paid by the western Central Bank. They stated that, by the end of 2016, Al-Hibri had disbursed over 3 billion dinars from commercial loans to resolve the problem. These loans increase the State debt and will need to be repaid by a future unified Government.*

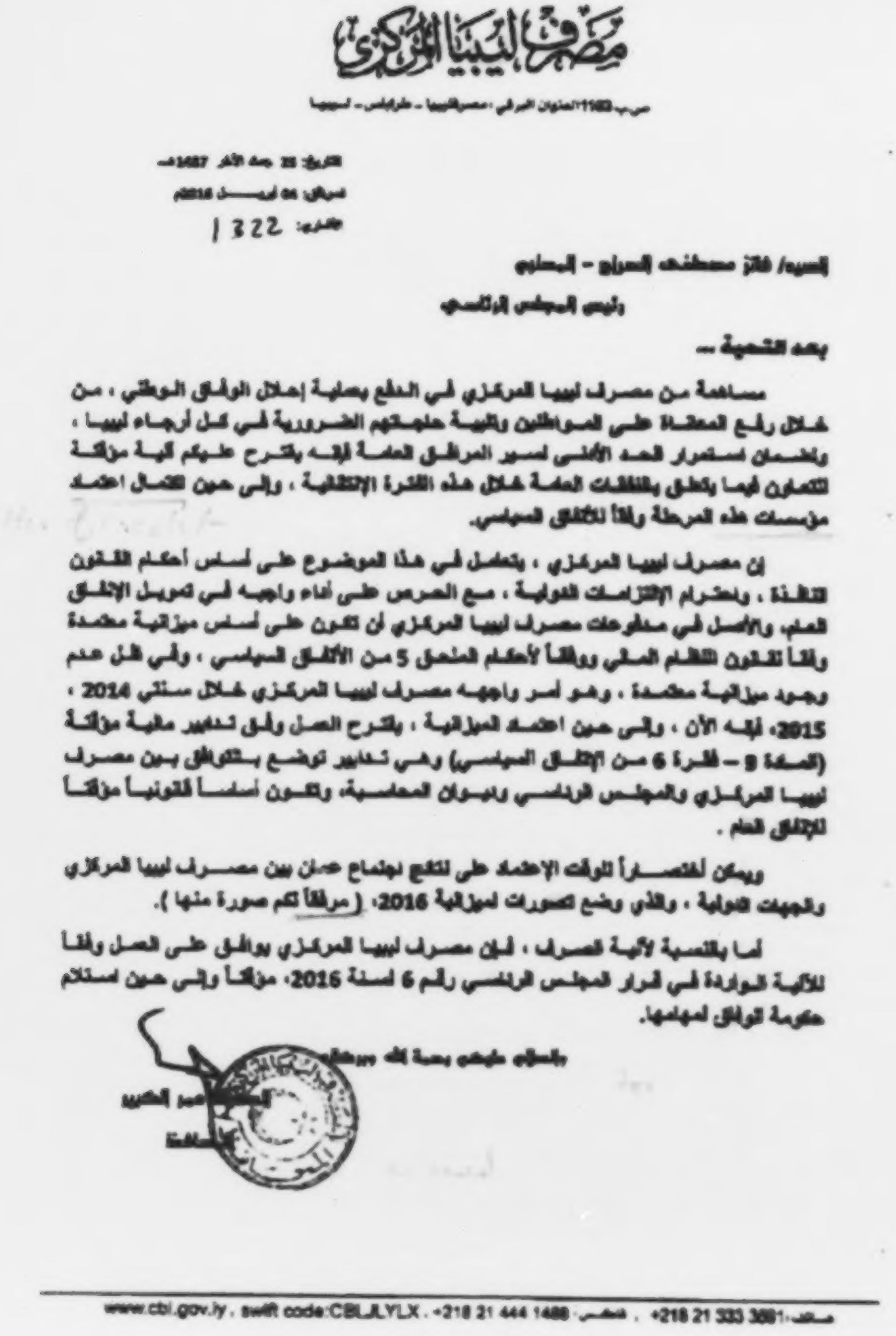
The CBL has been paying salaries across the entire country with no discrimination against any region, sector or government organization. The only requirement that the CBL mandated starting in 2015 was that the payment of salaries was conditional on the provision of a National ID Number for each recipient, to avoid duplication and minimize corruption. Some government organizations were slow or refused to comply initially with this requirement. A meeting took place in Tunis in 2016 to resolve any outstanding issues with salaries in the East and a committee was established by the CBL Operations Department and the Ministry of Finance to resolve the remaining salaries issues. As of now, a few entities in the East have not complied with the National ID Number requirement.

Section 215. *Attempts to unify the two competing branches made some progress throughout 2016 but ultimately failed. Al-Kabir and Al-Hibri met twice in Tunisia midyear, but a third meeting in Libya was cancelled. A solution in the short term is unlikely. On the one hand, the eastern Central Bank insists on a number of considerable concessions: an agreement on the distribution of cash (both prints); an increase in Central Bank approval of letters of* *credit for the east, which it reports to be currently limited to 17 per cent of the nationwide total; the restoration of eastern access to the Central Bank's information technology system; and full Central Bank coverage of certain eastern expenses. On the other hand, reunification and compromise do not appear to be a priority at the western Central Bank, which is clearly in a stronger position.*

Attempts by the CBL to reconcile differences and integrate the Eastern branch began in late 2014, shortly after the fragmentation of the country's government institutions. Mr. Al-Hibri refused to meet with Mr. Al-Kebir on multiple occasions until the US government mediated a short meeting in April 2015 where efforts to reconcile differences failed. One of the CBL's core demands was bringing transparency to the funding of government spending by the East in 2015 and 2016 estimated at LYD 8.5 billion and LYD7 billion, respectively. Another was the auditing of CBL accounts including in the East since late 2014 before the full integration of accounts and reconciliation of balances on the CBL's technology platforms.

Concerning the claim that the CBL is regionally biased against the East in approving Letters of Credit (LCs), this accusation has no factual basis. The CBL has accorded equal opportunity to LCs from all regions in the country, subject to compliance with rules and regulations. What has emerged in the last few years as true is that many applications from the East have been submitted outside the East out of security fears and uncertainty about banking operations in the East. For the same reasons, many traders and merchants from the East have relocated operations and set up accounts with commercial banks in Tripoli.

Page 67, 3rd paragraph, Section 283——*The urgent need to identify and secure such assets was an important driver of the reinstitution of a Stolen Assets Recovery Unit within the Central Bank in August 2016. The Unit reports directly to the Central Bank Governor in Tripoli and is also reliant on cooperation with the Litigation Department of the Ministry of Justice of Libya and the Attorney General's office. The Panel is not convinced that all three parties involved are fully committed to the Unit's efforts. The Unit has actively*



مصرف ليبيا المركزي
ص.ب 1103 العنوان البرقي : مصرف ليبيا - طرابلس - ليبيا

التاريخ: 25 جمد الآخر 1437هـ
الموافق: 03 أبريـــل 2016م
الإشاري: 322 |

السيد/ فائز مصطفى السراج - المحترم
رئيس المجلس الرئاسي

بعد التحية ...

مساهمة من مصرف ليبيا المركزي في الدفع بعملية إحلال الوفاق الوطني ، من خلال رفع المعاناة على المواطنين وتلبية حاجياتهم الضرورية في كل أرجاء ليبيا ، ولضمان استمرار الحد الأدنى لسير المرافق العامة فإنه يقترح عليكم آلية مؤقتة للتعاون فيما يتعلق بالنفقات العامة خلال هذه الفترة الإنتقالية ، وإلى حين اكتمال اعتماد مؤسسات هذه المرحلة وفقاً للاتفاق السياسي.

إن مصرف ليبيا المركزي ، يتعامل في هذا الموضوع على أساس أحكام القانون النافذة ، وباحترام الإلتزامات الدولية ، مع الحرص على أداء واجبه في تمويل الإنفاق العام، والأصل في مطلوبات مصرف ليبيا المركزي أن تكون على أساس ميزانية معتمدة وفقاً لقانون النظام المالي ووفقاً لأحكام الملحق 5 من الاتفاق السياسي ، وفي ظل عدم وجود ميزانية معتمدة ، وهو أمر واجهه مصرف ليبيا المركزي خلال سنتي 2014 ، 2015، فإنه الآن ، وإلى حين اعتماد الميزانية ، يقترح العمل وفق تدابير مالية مؤقتة (المادة 9 – فقرة 6 من الإتفاق السياسي) وهي تدابير توضع بالتوافق بين مصرف ليبيا المركزي والمجلس الرئاسي وديوان المحاسبة، وتكون أساساً قانونياً مؤقتاً للإنفاق العام .

ويمكن اختصـــاراً للوقت الإعتماد على نتائج اجتماع عمان بين مصـــرف ليبيا المركزي والجهات الدولية ، والذي وضع تصورات لميزانية 2016، (مرفقاً لكم صورة منها).

أما بالنسبة لآلية الصرف ، فإن مصرف ليبيا المركزي يوافق على العمل وفقاً للآلية الواردة في قرار المجلس الرئاسي رقم 6 لسنة 2016، مؤقتاً وإلى حين استلام حكومة الوفاق لمهامها.

والسلام عليكم ورحمة الله وبركاته

الصديق عمر الكبير
المحافظ

هاتف: 3881 333 21 218+ ، فاكس: 1488 444 21 218+ ، swift code:CBLILYLX , www.cbl.gov.ly

Source: Central Bank of Libya

Annex 61 Reply by Mr. Ashraf Bin Ismail

Letter to the Panel of Experts on Libya established pursuant to resolution 1973 (2011)

Subject: Complaint submitted to the Panel of Experts on Libya established pursuant to resolution 1973 (2011) by Mr. Ashraf Ben Ismail regarding Paragraph (51) of the Final report of the Panel of Experts on Libya established pursuant to resolution 1973 (2011), dated 1st June 2017 (Document Nr. S/2017/466)

Dear Sir/Madam

I submit this complaint against the Panel of Experts on Libya established pursuant to Security Council resolution 1973 (2011), (hereafter referred to as "the Panel"), for including my name in the report and alleging that I have carried out acts which I have nothing whatsoever to do with, and without any regard for my security and safety and that of my family and my future. I demand correcting the situation by clearing my name from the false allegations.

Your distinguished team has violated the very basic rules of neutrality and professionalism, most importantly the standard of Due Process. I do not know your sources, nor do I understand on what basis your team decided to cram my name in the report without first vetting and verifying the credibility and truthfulness of the information you received, nor was I contacted or questioned about the allegations. It is outrageous, to say the least, that a United Nations Panel of Experts not respect the Universal Right of Due Process.

The Panel's mandate includes:

> to assist the Security Council Committee established pursuant to resolution 1970 (2011) concerning Libya (hereafter "the Committee") in carrying out its mandate as specified in paragraph 24 of resolution 1970 (2011) and modified in subsequent resolutions;
>
> to gather, examine and analyze information from States, relevant United Nations bodies, regional organizations and other interested parties regarding the implementation of the measures decided upon in resolution 1970 (2011), and modified in subsequent resolutions, in particular incidents of non-compliance;
>
> to make recommendations on actions that the UN Security Council (hereafter "the Council"), the Committee, the Libyan government or other States may consider to improve implementation of the relevant measures; and
>
> to provide to the Council an interim and final reports on its work with its findings and recommendations.

The information and recommendations, which the Panel submits to the Council, the Committee and all other competent entities, affect the decisions and actions taken by these entities, especially the Council and the Committee. This demands justice, the most fundamental principle of justice is to listen to both/all parties of a case. The Panel took a statement of one or more parties alleging that "I provided support to members of Ansar al-Sharia", which is classified as a terrorist group by an International Decision made by a UN Security Council committee. This is a very serious allegation, which the Panel took and publish it in the public domain with hearing me, or verifying it. The Panel's action is incompatible with the rules & principles it adopted in its methodology, as set in paragraphs[1] 3, 4, 5 and 6.

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[1] Page 6 of the "Final report of the Panel of Experts on Libya established pursuant to resolution 1973 (2011)", dated 1st June 2017 (Document Nr. S/2017/466)

> The Panel's Methodology calls for the "***reliance on verified, genuine documents and concrete evidence** and on-site observations by the experts, including taking photographs, wherever possible. When physical inspection is not possible, **the Panel will seek to corroborate information using multiple, independent sources** to appropriately meet the highest achievable standard, placing a higher value on statements by principal actors and first-hand witnesses to events*", and
>
> The methodology states that the Panel "***is committed to the highest degree of fairness** and will endeavour to make available to parties, where appropriate and possible, any information available in the report for which those parties may be cited in relation to incidents of violations or non-compliance, for their review, comment and response within a specified deadline.*"

In paragraph (51) of your report, you stated "A businessman from Misrata, Ashraf ben Ismail"[2], it is correct that I am a businessman, which is my profession for 20 years, but I am not from Misrata as your report alleged. I was born and raised in Benghazi and lived there all my life. Benghazi is my hometown, my residence and business is there. I never took any residence in any other city in Libya, including Misrata. Since I was born I resided in Benghazi till I moved abroad on 10th June 2014, when it became clear to me that the situation in Benghazi is no longer safe, not for me nor for my family. Since 10th June 2014 I have been living outside Libya with my family. This proves that the Panel did not verify the information it received regarding me.

I am an ordinary Libyan citizen, I am neither a politician nor a public employee in any entity belonging to the Libyan State. I did not hold any public position in the State of Libya, neither before the 17th February Revolution, nor after it, except being in charge of the "Wounded Welfare Agency" (hereafter referred to as "the Agency") for three (3) months, from 12th December 2011 to 17th March 2012, during which I submitted my resignation from chairmanship of the Agency three (3) times; I submitted the first letter of resignation on 6th January which was rejected by PM el-Keib, and he rejected my second resignation on 4th February 2012, then accepted my third resignation on 17th March 2012 when I adamantly insisted on it.

During the course of my work, as head of the Agency, which I accepted not because I desired a public office, but because Mr. Mustafa Abdel Jalil, head of the National Transitional Council, insisted I take on the post, I did not take any salary, Dirham or Dinar. I did it as a volunteer work. From day one, it became clear to me that the Agency is a big mess and corruption[3], and realized that the only way to manage the medical treatment of the wounded would be through close coordination with the Health Ministry. On 26th December 2011, two weeks in the job, I submitted a proposal to the Health Ministry to directly supervise the Wounded cases, or at least take over the responsibility to administer the medical treatment of patients who were not related to the war casualties[4], but the Health Ministry refused. Eventually, the Agency was merged into the Health Ministry under Cabinet Decision No. (179/2012) "On the organization of the Affairs and Care of the Wounded", issued on April 18, 2012.

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[2] The English version of the report stated "A Misratan businessman, Ashraf ben Ismail" (page 13/299), whereas the Arabic version stated, "A businessman from Misrata" (page 18/323).

[3] The management of the Agency was chaotic before I was appointed. There was no control on who should be entitled to receive a publicly funded medical treatment abroad, everybody was sending people for treatment abroad, the National Transitional Council, various ministries, local councils, revolutionary brigades, and this lead to widespread abuse of the system.

[4] Publicly funded medical treatment outside Libya is not new, due to the sorry status of the National Health System, the Libyan State always funded medical treatment abroad for cases which there were deemed not possible to handle inside Libya, of course there was always favoritism & corruption. The Wounded Welfare Agency was created to handle the treatment of severely wounded fighters in the 2011 war, but because of the chaotic situation, in my estimate majority, more than half, of those who were being sponsored treatment on the Agency's account

The Finance Ministry, in the interim government headed by Mr. Ali Zidane, assigned a special financial committee in 2013 to review the Wounded Welfare Agency and I appeared before this committee four (4) times[1], my testimony was supported by documents. Around three weeks after the fourth (4th) session I received a phone call from the committee in which they informed me that "they have verified my financial accounts for the period I was in charge of the Agency", I asked them to provide me this statement in writing, which they did in a letter dated 9th February 2014. A copy of the letter is provided in the Annex (1) attached below.

Since the day I resigned from the Agency, 17th March 2012, I no longer had anything to do with the issue of the medical treatment of wounded, neither officially nor personally, except in one case involving the wounded from "Operation Bunyan al-Marsous". The military operation launched by the Government of National Unity to defeat terrorist organization Daesh "ISIS" in the city of Sirte. I was contacted by Mr. Abu Bakr al-Huraish, a member of the Misrata Municipal Council (MMC), informing me that they had difficulties in transporting the wounded of the military operation and that the MMC had decided to contact Libyan businessmen to help support their efforts to transport the wounded for treatment in Turkey. I committed myself to cover the costs of transporting 10 wounded from Misrata to Turkey, provided that the MMC handles all the work, flights & hospital bookings, which it did. The 10 wounded were transported on 5 flights, each trip costing 24 Thousand Euros. My contribution to cover the transportation of 10 wounded from Operation Bunyan al-Marsous was 120 Thousand Euros. A copy of a letter, Affidavit, by Misrata Central Hospital attesting to my support for five flights to carry wounded of Operation Bunyan al-Marsous, is provided in Annex 2 below.

Regarding the medical treatment of the wounded from the Benghazi Revolutionaries Shura Council (BRSC) was handled by the Libyan Embassy in Turkey, through the consulate in Istanbul, and I have had nothing to do with it. The Panel can contact the Consulate or the Embassy to verify this. It should be mentioned that the Consulate also handles the medical treatment of the wounded from "Operation Karama" and "Operation Bunyan al-Marsous".

I mentioned above that I left Benghazi when it became clear to me that the situation there was no longer safe, not for me nor for my family. Before and after the launch of the "Operation Karama", I worked hard to prevent escalation of the situation between some rebel battalions on one hand and the Special Forces battalions on the other. Meetings were held at my home in Benghazi between rebel commanders and Brigadier Wanis Bu Khamada, commander of the Special Forces in Benghazi. Unfortunately, these efforts did not succeed, some parties were keen to escalate the situation, among them Ezzidin al-Wakwak, commander of a tribal militia controlling Benina airport, East of Benghazi.

I was a targeted by "Operation Karama" when a warehouse complex I own in al- Hawwari area was bombed by airplanes and missiles on 5th June 2014, details are attached below in Annex 3. The complex was the biggest privately owned & operated warehouse complex in Libya. After the first air raid, I came with some friends and employees, and we were joined by firefighting trucks. As we were trying to put out the fires and move goods, the complex was targeted with missiles. Four fire fighters were injured and taken to hospital. We continued our efforts to put out the fires and save the goods, some belonged to my company and some to belonged to other

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[1] I appeared before the committee; in October, in November and in December 2013, then in January 2014.

Source: Ashraf Bin Ismail

Annex 62 The Libyan Steel Iron and Steel Company LISCO

1. In its last report, the Panel reported on armed groups from Misrata using the Libyan Steel Iron and Steel Company's (LISCO) port to load weapons from Misrata to Benghazi (S/2017/466, paragraph 51 and annex 14). The Panel mentioned that the LISCO plant was a key hub in the supply route of the Benghazi Revolutionaries Shura Council (BRSC). A summary of the details contained in Annex 14 of that report is below:

- A square "military zone" in which arms and ammunition are stored.
- Gathering and starting point for fighters joining armed groups in Benghazi.
- LISCO plant is a key hub for military support provided to BRSC.
- Ammunition transported by land from Hun to LISCO plant. Stored in containers in LISCO military compound.
- From there, loaded onto vessels at LISCO port terminal for onward movement to Benghazi.
- On way back to Misrata, speedboats transport injured fighters.

2. On 30 August 2017, the Panel met the LISCO Chairman, Mohamed el-Feghy. He denied being in control of the LISCO port or organizing the support from the plant to armed groups fighting in Benghazi. He explained that the LISCO management were required to provide land to an armed brigade near the LISCO port, but that this land was not within the LISCO plant premises.

3. The company did not have complete control of the port, it had access for business purposes and to provide technical maintenance. The port gate was under the control of the investigation wing of the Municipal Council of Misrata. He also clarified that the Municipal Council did not directly control this wing. It was under the Ministry of Interior. Earlier, the Council had formed a Committee that was responsible for everything that went in and out of Misrata and LISCO ports. This was no longer the case since the beginning of 2017.

4. Mr. el-Feghy witnessed the arrival of wounded fighters from Benghazi to the LISCO port a number of years ago. There may have been movement of weapons through the port, but he has never seen this. It was only hearsay. Mr. El Feghy was requested to provide a map of the plant premises highlighting the points used for military purposes and excluded from his management responsibilities. This has not yet been provided.

5. In a letter dated 21 June 2018 to the United Nations addressed to Chair of the 1970 subcommittee, the Chargé d'Affaires a.i. of the Permanent Mission of Libya reported that since the release of the Panel's report, LISCO "face[s] international dealings problems in addition to the reluctance of some foreign companies to hold business dealings with it". Libya denies the Panel's statements and states that the company operated the port technically for business purposes only. The role of the company was limited to operate the port technically in terms of receiving iron ore ships and the exports of the company's products. The security aspects were usually managed exclusively by the security authorities of the Libyan state.

6. Consequently, the Panel continues its investigation on the role of the security bodies who used to operate in the plant and at the port.